The Washington Monthly

APRIL 1971/ONE DOLLAR

BORED BY THE WAR?

This issue contains a special section on Indochina. We think all the pieces are important but if you're short of time we urge you to read The Burn Ward.

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Letters

A More Selective Service

How brave of you to suggest ["Reserves and Guard: A More Selective Service," by Adam Hochschild, January], now that you have completed your military obligation, that the men presently in the Reserves should go to Vietnam.

Why knock a system you yourself took complete advantage of? If your concern is so great, why didn't you write the article before you completed your service?

Your policy of getting involved when it can no longer adversely affect you is repulsive. It does not, in my opinion, lend itself to the betterment of America.

MRS. LINDA S. STOKES
Charleston, W. Va.

The author, Adam Hochschild, replies:

I cannot understand how Mrs. Stokes got the idea I "believe men presently in the Reserve should go to Vietnam." I don't want *anyone* to go to Vietnam, and I believe the American troops and planes there now should be withdrawn immediately.

I acted on these convictions while still in the military. Other soldiers and I organized the Reservists Committee to Stop the War, a national group now suing the Defense Department, to get 119 Congressmen and Senators expelled from the Reserves. We also began circulating a petition among Reservists and National Guardsmen calling for immediate total withdrawal of U. S. troops from Asia. The response has been tremendous—more than 2,000 soldiers have signed, many of them Vietnam veterans.

It's true I took advantage of the Reserves to stay out of Vietnam, although not intentionally. When I joined there were no American combat troops there and I naively believed there would be none. Had I come of draft age several years later, I hope I would have had the courage to go to jail rather than into the Army.

Breaking Out of the Work Prison

Re: "Breaking Out of the Work Prison" [February]. Full enjoyment of American life and the opportunity to "do something you have always wanted to do" is a luxury often reserved for the elderly (or for students with three-month summer vacations). Once you have retired, you are free to enjoy life. Before that, most people are condemned to cram into a short two or three-week summer vacation whatever away-from-home activities they want. Usually that summer vacation is so precious it cannot realistically be used for something off-beat or for other than just relaxing. Aside from summer vacations, leisure time is broken up into such short intervals—after work and the weekends—that it isn't usable for much more than puttering around, watching TV (i.e., wasting time), or for one-day trips. There is a great deal of leisure time in America, but for other than the elderly or students it doesn't come in long enough segments to provide real options for movement or change.

I propose a reform of the Social Security law, and such other steps as may be relevant through federal regulation of pension plans, etc., to give people an option of retiring later

How far have our last five presidents taken us "off course"?

Dropping the A-bomb, disarmament "bargains," "containment" policies, and the Korean and Vietnam interventions are just some of the grave miscalculations FDR's successors have made over the past twenty-five years, says Rexford G. Tugwell, former member of FDR's famous "Brains Trust." Using Roosevelt's record and his probable postwar plans as the criteria, he offers a major—and highly controversial—assessment of how the five presidents since FDR have allowed the nation to go "off course." In his analysis of the international scene and U.S. foreign policy, his critique of our method of selecting a president, and suggested reforms, Tugwell places recent history in a startling new perspective—one that could point the way to what he believes is the first realistic course in over a quarter of a century.

Off Course
From Truman to Nixon
by Rexford G. Tugwell *$7.95*
Praeger Publishers
111 Fourth Avenue, New York 10003

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and receiving a portion of their social security or pension income during sabbaticals taken earlier in life. In other words, someone might elect to have his social security payments begin at age 68 instead of 65, and to take the three additional years of benefits in one-year segments spaced throughout his working life.

The uses one could make of up to a year of sabbatical are obviously enormous, ranging from foreign travel and study, to national service, to seeing the country, or to just "getting to know your kids."

ROBERT E. PATRICELLI
Washington, D. C.

Mr. Patricelli is a Deputy Under Secretary of Health, Education and Welfare.

Blaming the Victim

William Ryan's article "Blaming the Victim" [January], in the course of making a good point, gratuitously victimizes a classical and still useful government publication, Catherine Chilman's *Growing Up Poor.* His injustice simply must be corrected.

Ryan rightly holds that the root problem of poverty, the problem that needs primary attack, is the deprivation of the poor in the social and economic system. If he had really read *Growing Up Poor*, he would see that Chilman entirely agrees. She has further elaborated this judgment in the report of the Joint Commission on Mental Health of Children, *Crisis in Child Mental Health*, of which she was principal draftsman. He further points out that it is a vicious defense of an intolerable status quo to "blame the victim" for his own plight. But to insist that deprivation has psychological consequences, produces scars, really *damages* people, is by no means to "blame the victim." It is to write the indictment of the system that produces poverty accurately and large. It is also to call attention to real problems that complicate our endeavors to remedy gross and long-standing injustice. Effective social policy cannot wear blinders.

It is a serious intellectual failure to fall into the either-or simplification that pits "culture of poverty" against the claim that all the poor lack is money. It is a serious moral failure to smear a responsible book by entirely distorting its message, in a rhetorical ploy to preempt a position of spurious moral superiority.

Perhaps we have to accept such simplification, such unfairness, from spokesmen who themselves bear the scars of injustice (though personally I think it is patronizing and basically disrespectful not to challenge sloppy thinking and gross unfairness wherever it comes from). Ryan has no such excuse.

M. BREWSTER SMITH
Santa Cruz, Calif.

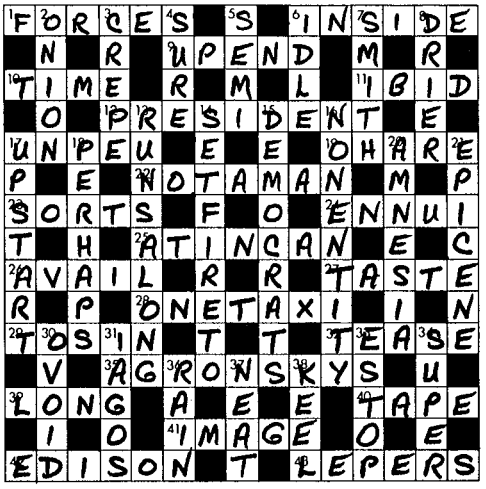
Dr. Smith is Vice Chancellor and Professor of Psychology at the University of California, Santa Cruz.

The author, William Ryan, replies:

I have no wish to take up space in a "picky" quarrel with Dr. Smith's defense of *Growing Up Poor*, and I have no doubt whatever regarding Dr. Chilman's *personal* concern and commitment to the problems of the poor. I would like, however, to focus on an important point that is raised: the "either-or" issue—pitting the culture of poverty against the claim that all the poor lack is money.

Briefly, my position is that, while there is no question that we must continue what I call "exceptionalistic" efforts to remedy the damage and the deficiencies that are produced by the experiences of poverty and oppression, we must not delude ourselves that we are *preventing* poverty by such efforts. When a physician sets the broken leg of the victim of an automobile accident, he is doing a valuable and necessary service. He must not, however, persuade himself that he is thereby contributing to the cause of automotive safety. I hope that Dr. Smith, whose judgment I respect very highly, will read my entire book and perhaps come up with a more differentiated view of my work. ■

Answers to March Political Puzzle:



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Special Indochina Section

Introduction by Congressman Paul N. McCloskey, Jr.

Jeff Lowenthal—Newsweek

I wish that the four articles which follow could be read by every American who complacently accepts the proposition that President Nixon's present policy of aerial devastation of Indochina is "militarily justifiable and politically acceptable."

These were the words that *Life*'s editorial writers used on February 19 with reference to the South Vietnamese invasion of Laos, an invasion which was possible only because of American aerial support.

"Militarily justifiable and politically acceptable!" If we have reached the point where air power, with its indiscriminate killing and maiming of children, old people, and noncombatants, is conceived to be a fine, clean American way to impose our will on the peoples of Asia, then I believe it is time to reexamine completely our national goals, ideals, and traditions.

Supposedly we are a peace-loving country, taking up the sword reluctantly and then only in defense of freedom. When we have fought it has been against "aggression" by others to protect people who preferred freedom to the shackles of dictatorship. Can we honestly say today that the Thieu-Ky regime—with its seizure of newspapers, its number two presidential candidate in jail, its repression of dissent—represents a higher order of freedom for the South Vietnamese than would government from Hanoi?

Whatever the merits of our assistance to Saigon in the early '60s, however, it is the *method* of giving such assistance today in 1971 that is deserving of careful consideration. That method, "the unlimited use of airpower," is espoused by the President and Vice President as "our greatest trump card," the key to success of Vietnamization. Actually, the use of B52s, napalm, anti-personnel bombs, and helicopter gunships is nothing short of the murder and maiming of thousands of people whom we don't hate, with whom we are not at war, and against whom Congress has not authorized action of any kind.

We grow sick with horror over the slaughter of women and children at Mylai, yet we have quietly acquiesced to equal or greater terror in the villages of Laos, Cambodia, and Vietnam caused by the indiscriminate hail of

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fire and steel from American bombers and gunships. The great bulk of civilian deaths in Southeast Asia is from American firepower, not Viet Cong. The strike of one plane with CBU cluster bomb units can tear apart the flesh of every human being in an area the size of a football field. The helicopter gunships described in "Maximizing Cobra Firepower Utilization" [page 8] can put a piece of steel in every square foot of the same area by a few seconds of finger tip pressure.

This is the firepower which the President counts upon to prevent shame and humiliation, to keep him from being the first American President to lose a war.

The President's thinking is based upon the premise that most Americans are willing to suffer the loss of a few hundred thousand Asian noncombatants if we don't have to view their suffering or hear their screams on our TVs. It is true that very few Americans have voiced disagreement with the search and destroy policies of Mylai, the "generating of refugees" and "free-fire zone" concepts, or the types of massive bombing which have reduced so many villages in Vietnam, Laos, and Cambodia to bloody rubble.

Few have come forward to challenge the President's explanation that his purpose in going into Laos and Cambodia after January 12, 1971, was to save American lives. Nevertheless, it seems clear that the primary purpose in furnishing close air support in Laos and Cambodia is to kill as many North Vietnamese as possible, wherever they may be found and despite whatever number of Laotian and Cambodian farmers and villagers may be destroyed in the process. By moving the war into Cambodia and Laos with air power, the President seeks to lower current American casualties enough to win political support for a *delay* in our total withdrawal from Indochina—past the December, 1971, deadline favored by 75 per cent of the American people, according to recent polls.

The real purpose of this delay is to permit a decent interval to elapse after our withdrawal and before the Saigon government is again seriously threatened by North Vietnam. In a recent article in *The New York Review of Books*, Daniel Ellsberg quoted his former employer, Henry Kissinger, as

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having frequently stated during 1968 that the appropriate goal of U. S. policy was a "decent interval" of two to three years between the withdrawal of U. S. troops and a communist unification of Vietnam. It is claimed that the interval is required to protect the country from the prospect of a new McCarthyism. This means that the wishes of 75 per cent of the people are being denied, and the war dragged on, in order to protect them from the possibility of a right-wing backlash. This policy of postponement is to save our face, not the lives of our troops. No major North Vietnamese threat to American lives in South Vietnam has existed since last summer. If the President wants to save American lives, he need only keep American troops marching to the coastal cities for transport back to the United States. Presumably, the 1.1 million men in the South Vietnamese armed forces could screen us from harm from the 200,000 or so North Vietnamese and Viet Cong presently scattered through the mountains of South Vietnam.

The whole concept of substituting aerial warfare for ground combat seems demeaning and cowardly for a nation which has taken pride in its military successes of years past. Having lost the stomach for taking casualties ourselves, we hire mercenaries to do our dying for us, and we do our killing from 30,000 feet, where there is no chance whatsoever to know who is being killed, enemy or civilian.

The air war produces not only indiscriminate deaths but refugees. In Cambodia alone, the joint U. S.-Cambodian operations created more than one million refugees in the first six months, as described by Peter A. Poole in "The Vietnamization of Cambodia" [page 13]. This staggering total, out of a Cambodian population of only seven million, has continued to rise since last September, when the figures were collected.

We talk of being "a Pacific Power," yet our whole conduct of the war in Vietnam bespeaks a contempt and disdain for the races of the Pacific. We criticize communist nations in Asia for a lack of concern for individual human dignity, yet we pursue a policy which considers an Asian life as somehow less deserving of human dignity than an American life. We convicted Germany's General Jodl 26 years ago for relocating the civilian population in occupied Norway; yet we think nothing of forcing civilians in Indochina to move from the lands where they have lived for generations or face death and destruction from our air power. Worst of all, we have substituted a wholly indiscriminate air war for the selective destruction of enemy forces on the ground.

Win or lose in Vietnam, our current political use of an air war in Indochina will go down as a shameful chapter in American history. Our planes are not fighting the Luftwaffe or Japanese Zeros in a war of survival. In Indochina today we are merely assisting one group of Vietnamese against another. This is a civil war much like our own—the North seeking to reunify a divided country, the South seeking to set up a permanently independent and separate new nation.

None of my criticism of the President should be taken to mean that ending the war in Indochina would be easy. Quite the contrary, I believe it will require exceptional leadership to take the position that the war is unwinnable and wrong, and that it should therefore be ended as a non-victory without postponement. The obvious difficulty of that course lies in the unavoidable fact that it means the lives lost in Vietnam will be viewed as wasted, at least in part. Such a realization will be hard to take, no matter how well a political master might prepare and guide the nation. Indeed, Murray Polner's "No Victory Parades" [page 17] shows that a critical problem of most Vietnam veterans is the adjustment to the ambiguous purpose, the hazy objectives, and the nagging doubts of this war. Continuing the war will not add meaning

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to the experiences of these men, nor to the deaths of those who have already been killed.

If there is anything more difficult than telling 55,000 mothers that their sons died for a mistake, it is knowing that the *next* mother's son died because we lacked the courage to face the mothers before her. Such knowledge means failure to the marrow—compounding folly with cowardice, or with excessive love of office.

To all the other costs of dragging out this war, one must add the sheer immediacy of the daily suffering in Southeast Asia. I know of no more powerful description of this horror than Ronald Glasser's "The Burn Ward" [page 25]. As the country becomes more anxious to end the war, and as more people including our soldiers lose zeal for a conflict whose avowed purpose is only to be ended, I think anyone who still attaches a value to continued fighting should read this article. Then he should weigh these costs, among the others, against the potential gains. There is a pernicious tendency these days to toss off the human consequences of organized killing with the phrase "war is hell." It rolls so easily from some lips that one almost suspects the words had been invented to avoid thinking about war's toll altogether. The vivid reality should rather be constantly weighed against the possible defense for the war. It should be considered especially before one supports the conscription of young men for forced service and possible death in the postponement phase of this forsaken war. And one should remember that the aerial war means that the victims in Dr. Glasser's article will be replaced by greater numbers of Asian civilians.

What American interests are involved in this continued conflict? For me, the answer in 1971, at least, is clear. It is a national tragedy that we should be mounting 1,000 planes a day over Indochina. There are *no* American interests worth killing or dying for in Southeast Asia. ■

Lenin: A Study on the Unity of his Thought
by Georg Lukács
translated by Nicholas Jacobs
This essay on Lenin, which first appeared in 1924, was intended to head off the massive criticism leveled at Lukács's *History and Class Consciousness* by Communist Party leadership. It was a period in which Lukács was decisively influenced by Lenin and by Rosa Luxemburg, and his intellectual development proceeded concretely toward a political (Marxist-Leninist) interpretation of history and of literature.

In a postscript (1967) Lukács essentially reaffirms his view of Lenin as a practitioner whose tactical superiority lay in his ability to assess the socio-historical uniqueness of any given situation that required action.
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History and Politics in the Soviet Union
by Nancy Whittier Heer
This book presents a detailed analysis of Soviet historiography after Khrushchev's secret speech denouncing Stalin, a period that is roughly spanned by the Twentieth and Twenty-Third Party Congresses, 1956-1966. The author uses source materials which she spent a number of years reading and translating — Soviet mass-edition texts and pamphlets, scholarly monographs, articles in historical journals and in the press — to construct a schematic chronology of developments in political history and related political events under Khrushchev and his successors.
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The USSR Arms the Third World:
Case Studies in Soviet Foreign Policy
by Uri Ra'anan
"Uri Ra'anan, professor of international politics at the Fletcher School of Law and Diplomacy, in this well-documented book . . . examines in detail the motivations of and political maneuverings behind two large weapons deals: the Soviet-Egyptian arms agreement of 1955 and the Soviet-Indonesian arms arrangements of 1957-65." — *The Washington Post*
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action/reaction

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Maximizing COBRA Utilization

by Jeffrey Record

Bac Lieu is a small out-of-the-way province at the southern end of the Mekong Delta. It rarely makes the 6:30 news. When I was there in 1968-69 with the American advisory team serving as the Assistant Province Advisor for Psychological Operations, there were no North Vietnamese troops in the province. What Viet Cong strength there was consisted largely of part-time village and hamlet guerrillas armed mostly with single-shot vintage German Mausers. They concentrated primarily on blowing up bridges with uncanny accuracy and mining the few passable roads. They were experts at placing booby traps, and the ARVN soldiers obliged them by returning again and again to the same place, tripping the same wires with deadly consistency.

Americans believed there were about 3,000 full-time, hard-core Viet Cong in Bac Lieu, or one per cent of the total population. Arrayed against this scanty enemy presence were over 20,000 well-armed men: elements of the 21st ARVN Division, Regional Force companies, Popular Force companies, and the ubiquitous People's Self Defense Force, a kind of local home guard. This vast military structure was supplemented by numerous Revolutionary Development Teams, the Provincial Police, the paramilitary Police Field Force, and the Provincial Reconnaissance Unit—an extortion and assassination team run directly by the CIA and composed mostly of criminals, deserters, and former Viet Cong.

On top of this overwhelming numerical superiority, the Vietnamese government possessed, as it does in every province in South Vietnam, complete control of the air through its American ally.

I arrived in Bac Lieu in August, 1968, and my first impressions were favorable. Both the Province Senior Advisor (the head of the American advisory team) and the Province Chief (the Vietnamese "governor" of the province) seemed acutely aware of the military and political dangers inherent in the indiscriminate use of firepower, particularly in such a heavily populated province like Bac Lieu. The Province Chief had refused to permit B-52 strikes, and the Province Senior Advisor had repeatedly denied U.S. Navy requests to shell the province from offshore. He had also forbidden

Jeffrey Record is a graduate student at the Johns Hopkins School of Advanced International Studies.

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the use of .50 caliber machine guns because their range and velocity made them too destructive.

Airpower in Bac Lieu was confined mainly to logistical support: the helicoptering of troops and ammunition to various outposts and the airlifting of critical supplies to those hamlets inaccessible by road or canal. The only aircraft permanently stationed at Bac Lieu's small dirt airstrip were five or six light, single-engine planes used for aerial observation. Airstrikes could be had, but only on request. Within 30 minutes of first contact with the enemy, American helicopter gunships and jet fighter-bombers would fly in from the large airbase at IV Corps military headquarters in Can Tho, several provinces away. They would bomb and strafe whatever targets were given them by the Bac Lieu Tactical Operations Center. Outside of actual support for ground combat operations the only airstrikes ever called in were occasional sorties over the province's three small, and virtually unpopulated, free-fire zones.

This atmosphere of modest restraint soon changed, however. There had always, of course, been considerable resistance within the advisory team to any restrictions on the use of airpower. Although civilians and military men could be found on either side of the airpower debate, most of the opposition to restrictions came from the older officers, many close to retirement, for whom Vietnam provided their first and last chance to see real combat. Some found the idea of restraint incompatible with war. Others appeared troubled by the suggestion that military effectiveness was not commensurate with simply the amount of firepower at one's disposal. All the opponents of restraint seemed oblivious even to friendly argument. The moral argument, that unrestricted use of airpower would result in the unnecessary killing of many innocent civilians, ran into the simple reply that "war is hell." The political argument, that such indiscriminate destruction would serve only to generate more recruits for the Viet Cong, confronted the firm conviction that aerial terror would drive the rural population into government-controlled areas, thus denying the enemy his source of manpower. The military argument, that there were no targets in Bac Lieu of a size warranting massive airstrikes, was simply dismissed out of hand.

The supporters of unfettered airpower were understandably overjoyed when IV Corps headquarters announced in October that every province in the Delta would begin receiving helicopter gunships on a regular basis. Twice a week, each province (for Bac Lieu, Mondays and Thursdays) would get a "Phantom Mission" composed of two to three Cobra assault helicopters accompanied by an older Huey helicopter which, as the "command-and-control" ship, would coordinate and direct the strikes. Since the missions were scheduled independently of any military operations in Bac Lieu, their aim was clearly not that of supporting troops on the ground. According to the operational memorandum, the purpose of the Phantom program was 1) to destroy enemy personnel and installations, 2) to interdict known and suspected enemy lines of communications, and, in general, 3) to harass and terrorize the Viet Cong.

Even more ominous than the open-ended language of the program's guidelines were the weapons themselves. The high-speed Cobra assault gunship is a "killer" helicopter—it carries only a gunner and a pilot. Its sole cargo is ammunition for its guns. Each Cobra is equipped with two rocket pods capable of handling 52 rockets and an electrically operated turret machine gun which spews out lead at a rate of 100 rounds per second. Many have built-in automatic grenade launchers which fire grenades as a machine gun fires bullets.

I have never been able to discover the origins of the Phantom program. Like many such programs in Vietnam, this one may have been dreamed up

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by a colonel at Corps headquarters, far removed from Bac Lieu. The Cobras were late-model helicopters and were making their first appearance in large numbers in Vietnam. Apparently those assigned to the Delta were not being fully utilized. This made the helicopter program bureaucratically vulnerable, because "underutilized" capacity may be taken as a sign that the Phantom operation was either inefficient, unnecessary, or too large. To avoid program cuts, Phantom supporters needed to cultivate allies and get the helicopters fully engaged—piling up what could be called indispensable achievements. The solution was simple: divide the use of the new gunships equally among all the provinces in the Delta. There was no evidence of an awareness at the Corps level that some provinces might have greater need of Phantom missions than others, or that still others (in my opinion, Bac Lieu) could get along quite well without them. Nor, apparently, had any of the provincial advisory teams been asked for their opinions.

In spite of strong opposition from most of the civilians and some of the younger officers on the advisory team, the Province Senior Advisor accepted the program. Evidently he felt he could restrain the employment of the Cobras as he had the employment of other weapons. He failed to grasp that the the problem lay not in their *indiscriminate* use but in the very nature of the gunships themselves. *Any* use of Cobras in a densely populated province having only a small enemy presence would be indiscriminate. He had also learned from years of experience as an advisor in Vietnam to take whatever was offered from on high—some day there might be a real need for Cobras in Bac Lieu. Perhaps more important was the heavy military pressure within the team for acceptance. By making a major concession on the Cobras, the Province Senior Advisor could extract concessions from the military on other divisive issues.

The results of the Phantom program were, at least in my mind, never in serious doubt. Having no real targets to shoot at, the Cobras would, immediately upon arrival in Bac Lieu, head for the free-fire zones, hoping to find what few Viet Cong there were in the province. The enemy quickly learned that Phantom strikes occurred only on Mondays and Thursdays and remained well hidden on those days. The Viet Cong appeared to have advance warning of even the few unscheduled missions.

Soon there were indications that the missions were no longer confining their destruction to the free-fire zones. Airstrikes had always been permitted outside the zones, but, until the advent of the Phantom program, they were severely restricted and closely monitored. In November, 1968, five people were blown to pieces in Vinh Chau district. One turned out to be a government agent; the others were identified as "friendlies." Although the incident was written off as one of those inevitable misfortunes of war, all five were carried on the enemy body count.

Shortly afterwards, I began receiving disturbing reports from Viet Cong defectors and Americans who worked at the provincial hospital. Part of my job involved interviewing defectors. An increasing number of them recounted stories of rocket attacks on villages, strafings of farmers and water buffalo working the rice paddies, and machine-gunnings of sampans along the countless canals that interlace Bac Lieu. The attacks had three things in common: all occurred without warning, all took place outside the free-fire zones, and all were conducted by helicopter gunships. Americans at the hospital reported a growing number of peasants coming in from the rural areas wounded by rocket and grenade fragments. Most were women and children. Yet there had been a decrease in the level of ground combat during this same period.

I brought these facts to the atten-

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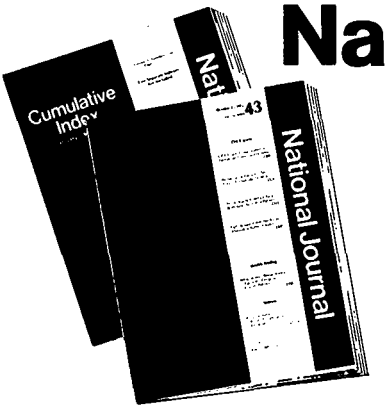

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tion of those at the Tactical Operations Center (TOC) who were most involved in the planning and coordination of the strikes. Their response was not unexpected: other than the "accident" in Vinh Chau, there were no "reported" civilian casualties. The TOC was firmly convinced that the Cobras were killing only Viet Cong. When I asked the American Operations Officer how, several hundred feet above the ground and traveling at a speed of well over 100 miles an hour, anyone could be so certain of a target's identity, he replied: "We don't shoot individuals on the ground unless they run away when the Cobras approach. People that run must be Viet Cong. Why would they run unless they had something to hide?"

My worst suspicions were borne out when I began accompanying Phantom missions in December. I rode along in the command-and-control ship—ostensibly to drop leaflets—and observed the terror first hand. Returning from my first mission I witnessed the machine-gunning of an entire herd of water buffalo along with the six or seven buffalo boys who were tending the herd. No command had been given. The Cobras simply broke formation and began their deadly dives. Within seconds the still waters of the rice paddy in which the buffalo and their little friends had been resting was transformed into a bloody ooze littered with bits of mangled flesh. The dead boys and the water buffalo were added to the official body count of the Viet Cong. I was stunned. By the time I got back to the TOC, I was shaking uncontrollably in anger. I demanded—both as a human being and as Psychological Operations Advisor—severe punishment of the pilots. "But they're not under our command. Only Can Tho has jurisdiction" was the reply. What had started out as a program designed to hamper Viet Cong military operations had become an unmanageable and monstrous terror directed against the entire rural population.

There is not much left to tell. Incidents similar to the butchery of the buffalo boys and their buffalo continued unabated in the months that followed. On one occasion the Cobras, evidently not content with attacks on civilians, rocketed a government outpost (the pilots claimed the soldiers were shooting at them), wounding several soldiers but killing two women and three children. In April, a group of younger civilians on the team (myself included), supported by a young American major who was the senior advisor of the largest district in the province, submitted a lengthy memorandum to the Province Senior Advisor calling for the complete termination of the Phantom program in Bac Lieu. The memorandum was detailed, based on painstaking surveys of hospital patients and Viet Cong defectors. Their stories were cross-checked with the official logbook of Phantom strikes in Bac Lieu to make sure that the details of the horror were congruent with the dates and locations of the strikes.

The memorandum came too late. By April, the Province Senior Advisor and most of the officers on the team had become convinced that the Phantom program was indispensable to the defeat of the Viet Cong in Bac Lieu. They had become mesmerized by the familiar litany of aerial warfare in Vietnam: "Kills by air, sampans sunk, enemy structures destroyed." The Phantom program had increased by twofold the enemy body count demanded every month by the insatiable computers in Saigon.

I have been told the program is still being executed in Bac Lieu. I have also been told by the very same officers who supported the program —a program designed to destroy what few Viet Cong there were in the province—that enemy activity is now more intense than ever before. What happened in Bac Lieu has been repeated countless times throughout South Vietnam. ■

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The Vietnamization of Cambodia

by Peter A. Poole

The reason we have failed to understand Southeast Asian nationalism is that we have ignored it. We have tried to make the local political situation fit our own ideological beliefs. For the last three years, we have been so absorbed in our internal debate over the pace of military withdrawal that we have been less willing than ever to look at the actual situation in Southeast Asia, except through the distorting lens of American politics.

Much of what our officials say about either U. S. disengagement or Asian nationalism sounds either frightening or absurd to the new leaders of Asia. For example, President Nixon and Secretary Laird have indicated that American air power and ARVN troops in Cambodia are well nigh indispensable to the Lon Nol government's survival—though, of course, the main reason for moving the war into Cambodia is to "save American lives." (Senator George McGovern almost topped this on "Meet the Press," February 21, when he implied that North Vietnam was devoted to the cause of Khmer and Lao nationalism.)

Actually, the events of last spring, including the U.S.-South Vietnamese invasion of Cambodia, have created enormous problems both for the Lon Nol government and for the country. By December, there were one million Cambodian refugees out of a total seven million population. During a two-week visit in January, I found that Phnom Penh, the capital, had doubled in size since March, from 700,000 to over 1.5 million. Other towns are also swollen with people

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escaping the air strikes and the ground war. The number of refugees is increasing. And the figures leave out the 200,000 residents who were repatriated to Vietnam, after selling their property at a fraction of its real value.

The remaining Vietnamese and Chinese nationals recall with horror the April, 1970, massacres of Vietnamese (denied by the Cambodian government but affirmed by most foreign observers). The Chinese, who control so much of the economic life, are worried about their future status in the country—even those who assume the country will survive the war intact. Their schools and temples have been taken over as billets for troops and war refugees.

And what of casualties? We can add up military losses— reportedly 8,000 Cambodian troops, 50,000 Viet Cong—but calculations of civilian losses are not to be found anywhere. Apparently, the human cost of the invasion was not considered in last April's decision to expand the war into Cambodia. Civilian life is not a policy concern in any aspect of the Indochina war. At a recent background briefing, Henry Kissinger was asked if there had been any projection of how many Indochinese casualties would result from expanding the war into Cambodia. He said there were no such projections.

The political costs of moving the war to Cambodia have also been high. The Lon Nol government came to power largely because political groups ranging from students to the military felt that Prince Sihanouk had not done enough to control the Viet Cong in the country. The present government's program could be stated simply enough for any villager to understand—expel the North Vietnamese and Viet Cong from Khmer territory. Most Cambodians identify personally with this aim because fear of Vietnamese domination has long been their most commonly held political attitude. Their fear is nationalistic rather than ideological, based on a long-standing hostility between Vietnamese and Khmer people.

From this hostility, Lon Nol gained support. There have been more than enough volunteers to expand the Cambodian army from 35,000 to nearly 200,000 during the past year. In some provinces, farmers have bought weapons to protect their villages from the Viet Cong.

The United States, however, has forced Lon Nol and Cambodia into accepting a policy of using Vietnamese to expel Vietnamese. Regardless of how convenient this is for South Vietnam—whose army seems to prefer fighting the war in Cambodia, and whose politicians, like Vice President Ky, would rather alienate Cambodians than Vietnamese—it is not good for Cambodia. While the people I talked to repeatedly said that their country was fighting a war of national liberation to expel Viet Cong, they stressed that American help should not come from Vietnamese intermediaries or American ground troops. The ARVN may have fine equipment, but everyone, including top-level officials, complained that they have raped Khmer girls and looted Khmer villages.

Shifting the Vietnam war to Cambodia and subjecting the people to B-52 sorties and gunship raids is likely to achieve for the Viet Cong and Khmer communists what they have not managed to do themselves—aid communist recruitment of disgruntled Khmer youths and create a Cambodian civil war where none existed before.

Not only among Cambodian and American officials, but also among well-placed Japanese and British observers, I have heard the view expressed that the war in Cambodia is an old-fashioned "military" war (as distinct from the political war in Vietnam). This implies that the anti-government forces are mostly foreign invaders; that both sides are fighting for reasonably clear objectives; and that victory will go to the side with the biggest and best equipped battal-

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ions. There is certainly some truth to this view. But in order for it to become completely valid, the Khmer component of the anti-government forces must remain small. To achieve this the United States and South Vietnam must abstain from direct involvement in the war. If they maintain or increase their involvement, one can safely predict that Cambodian support for the anti-government forces will grow, and Cambodia will soon have a full-scale civil war like Vietnam.

It is only natural that many American officials I have talked with take pride in the fact that U. S. arms and training have aided the Cambodian government and people in their struggle against a (so far) predominantly foreign enemy. Unfortunately, it is all too easy for the same Americans to ignore the fact that Cambodia's nationalism is, at the same time, being undermined by our willingness to move the Vietnam war into Cambodia.

The effects of the invasion on the strength of the government are already being felt. Last December, the government imposed censorship on the domestic press after non-government publications ran a number of anti-ARVN stories and cartoons. The effort, however, was unsuccessful—after opposition from students and editors, a more lenient set of ground rules was adopted.

The fall of Sihanouk was interpreted in America as a dramatic ideological shift from left to right in Cambodia, leaving a large pro-Sihanouk, pro-communist portion of the population opposed to Lon Nol. Again, such notions are merely projections of our own ideological beliefs. Sihanouk's statements during the past year reveal that there is no love lost between any faction of the anti-government forces in Cambodia, although he claims that his front, Uni National du Kampuchea (FUNK) is leading the struggle against Lon Nol. Meanwhile new political stereotypes are replacing the old dogma that he could solve all problems. The new consensus begins by conceding that Sihanouk was good for Cambodia in the 1950s, but that he was corrupted during the 1960s by his wife Monique and by crooked pro-Vietnamese advisors. He gradually revealed his inability to cope with the problem of Vietnamese communist infiltration in the border areas, and was replaced in 1970 by an entirely constituional process—a vote of the two branches of the legislature. The proclamation of a Khmer republic delighted students in Phnom Penh and made the chances of Sihanouk's restoration all the more remote.

It is easy to exaggerate the "strategic" importance—to Cambodia or to anyone else—of the various roads and other objectives which have been fought over in Cambodia during the past year. Most of the Cambodian people can survive on the food they raise. Phnom Penh can be supplied by armed convoys on the Mekong River, which are easier to protect than road convoys. Yet the world press has portrayed a long series of battles during the past year (including those which involved ARVN and U. S. support) as "crucial" to Cambodia's survival. This has, probably inadvertently, created a rationale for further U. S. and South Vietnamese intervention.

Route 4 connecting Phnom Penh to the sea was cut by communist guerrillas last November. In January, Cambodian forces, supported by a large ARVN contingent and some U. S. air power, fought a long battle to reopen it. The day they did so, a small guerrilla band raised havoc at the military airport near the northern end of the road, showing how easily they can cut it again, whenever they choose to.

Since Route 4 was repeatedly described in the world press as Phnom Penh's "life-line," it follows that Phnom Penh would have collapsed if it were not reopened. (Never mind the fact that the city got along for hundreds of years until the U. S. aid mission built Route 4 in the 1950s.) Since ARVN and U. S. air power

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took part in the battle to reopen it, they must have been essential to whatever it was that was accomplished. One thing that was achieved was that Phnom Penh regained its surface link with the country's only brewery at Kompong Som, just when the black market price for U. S. beer hit $1 a can in Phnom Penh.

Despite the impressions some press reports give that Phnom Penh is completely cut off from the provinces, this is strictly true only of the four northeastern provinces, which are not contested by the government. (Their total population was about 225,000 in the 1962 census, but the most common estimate of the number of people who have not fled the area is 150,000.)

The government controls all towns of any size outside the Northeast—though civil and military flights are the only safe way to reach many of these towns. Most Cambodian villagers were subjected to only occasional harassment by Vietnamese or Cambodian communist bands during the past year; few villages were under continuous communist control. Newspapers and government bulletins published in Phnom Penh gradually circulate to provincial towns and villages. And word-of-mouth communication probably remains a vital force linking most of the seven million Khmer people together; Cambodians still travel around their country a great deal, in spite of the danger of ambush on all but a few roads.

The best informed guesses (and they are no more than that) place the number of Cambodians supporting the communist cause at 10,000 in early 1971. The few people from the western provinces whom I talked with, and who claimed to have encountered members of the Khmers Rouges believed this force was still opposed to Sihanouk, as well as Lon Nol; they are said to be as much interested in banditry as in politics.

If these rather meager impressions are at all correct, the Vietnamese and Cambodian communists have gained far less support among the Khmer people than most observers expected in the summer of 1970. Although its performance is still unsure in some respects, Cambodia's present government appears to be a much more popular national government than President Thieu's regime in South Vietnam. The crux of Cambodia's current problem is that all of the parties to the Vietnam war seek short-term gains by moving their struggle onto Cambodian territory. Consequently, the Cambodians will probably not achieve their goal of expelling the Vietnamese communists until the latter decide they no longer need Khmer territory for their military operations.

Cambodia needs limited aid in order to hold on until the parties to the Vietnam war stop abusing her territory and mauling her people. She needs small arms, ammunition and a great deal of support in organizing her medical services. But what Cambodia does not need is ARVN troops and American "air power." Both have a time-tested ability to turn people against the regime that employs them.

But the only indispensable ingredients in Cambodia's formula for survival are nationalism and human will, which her people have shown they possess. Asian nationalism has consistently been undervalued by American governments since World War II. We have taken an unduly militaristic approach and have assumed that somehow American military forces can replace national governments. The Nixon doctrine records our disenchantment with this idea. But during the past year, the Administration has often violated its own principles by its actions in Cambodia. To insure the Vietnamization program, the President has sent American air power over that country and killed large numbers of civilians. This action may have temporarily reduced casualties in Vietnam, but it may also Vietnamize Cambodia. ■

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No Victory Parades

by Murray Polner

Steve Harper

He had noticed the hand-painted posters in the windows of the stores along the street. "Akron Rally In Support of Our Boys." It had also been on the radio and in the local papers. He knew where he stood and political rallies were hardly his style, but that evening he found himself drifting toward the meeting.

The hall was draped in patriotic colors, the streamers running across the ceiling and tied onto the rafters. A local politician had hired four pretty girls, all dressed in colonial clothing, to hand out leaflets and pins and greet the guests. Down front, children from the Saint Aloysius School Drum and Bugle Corps were playing. A woman of 60, constantly smiling and wearing a red, white, and blue sash on her dress, swept down the aisle and pinned an "Honor America" button on the flap of his field jacket. Then a stillness. The audience rose. The children of the band struck up the national anthem.

Steve Harper, 20, a recent husband, a veteran of 11 months' fighting in the war, had been back home for almost six months when he went to the rally. Sitting there, on a wooden folding chair, he remembered the last time he had been with a similar group, in Vietnam, on Christmas Eve, 1967.

"We had this chaplain, a Protestant. I never cared for him and a lot of the guys shared this feelin' with me. He was always smiling and happy-like. And drinkin'. I never liked those kinds. They're like frauds. You

Murray Polner teaches history at Suffolk Community College, Long Island. This article is excerpted from his book, No Victory Parades, *to be published this spring by Holt, Rinehart and Winston. The names of the three veterans have been changed.*

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couldn't ever talk to him or even believe what he was preachin'. You know?

"We were outside Pleiku, my first Christmas in the war. Outdoor services. Christmas Eve. It meant a lot to me. And him, the chaplain, always defilin' religion with the way he carried on. And we're sittin' on these chairs, not on the ground, and he comes out to a little table with the Bible in his hands. We were sittin' and quiet. He opened the book and put it down on the table. He looked down and then up at the sky and then back at us—I swear I'll never forget it—and then he became very still. Nobody said a word. And then, then, he began cryin' and weepin'. And suddenly, on that special Christmas night, every one of us started cryin' too. All of us, in that wild place, on that night, sittin' there, cryin'."

A woman was on the rostrum. She wore a bouquet of orchids, her voice small, but strong. Steve leaned forward. "Yes," spoke the woman, "it is true, my Thomas died in Vietnam. But it is not true that his death was meaningless to everyone but his father and me. Yes, he was a number in the Pentagon, but aren't we all numbers in social security, bankbooks, credit cards? My son was a part of the Silent Majority."

She looked up from her prepared speech. She had tears in her eyes, obvious tears. "My Tommy wasn't a loud voice or a flag waver. He was a good boy, a handsome average American boy who became a man, and had to die in this way. But let me tell you this from the bottom of my heart, a mother's heart, a mother who has just buried her only son: I know Tommy's death was worthwhile. I know his death will always have meaning."

"She's right," said Steve. And he got up to leave the hall. "My mother would've said the same thing."

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Harry O'Connor

"The thing I remember most was the sense of being forgotten and deserted. We left from San Diego. It was a Sunday afternoon and we were all in fatigues, our heads shaven. On the dock alongside the ship stood an Army band playing 'When the Caissons Go Rolling Along,' and the Marine hymn because we had some of them aboard. It really was a chintzy touch. And then, down below, on the water, floated a large sloop, maybe 35 or 45 feet. A guy was on deck, holding a bottle of whiskey, and next to him were three babes in bikinis. I wanted to fall down and weep. Here was this dude waving at us, sailing around on a sunny afternoon, free. And where were we? Where was I? On a troop ship, my ass headed for Vietnam."

It was early October, 1966, and Harry O'Connor, a recent graduate of Officer Candidate School, was about to lead an infantry platoon for six months on sweep and destroy missions in the Mekong Delta; afterward

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he would serve an additional 12 months as a Public Information Officer.

Harry has a brother, Paul, five years his senior. Paul served briefly in the Coast Guard and is now a mail carrier for the Post Office. Harry says that Paul is an exact replica of his father, but more tautly drawn. "Paul and I get along pretty well although we're opposites, especially politically now. Oh, he's goodhearted to his nephews—our two sisters' kids—and he let me borrow his car from time to time. But he's obsessed with neatness, he's very meticulous, and his taste is very conventional. By contrast, I'm very sloppy, always was. I've got books and magazines all over the place. I've got trinkets to bring a little bit of cheer and life to my room. This upsets Paul.

"Most of all, now that I'm home, my talk about Vietnam upsets him. He tries to ignore my arguments and concentrates instead on Yippies and hippies and 'niggers' and Jews and communists and things like that. When he started to talk about voting for George Wallace, the gulf between us became even wider."

Harry came home in May, 1967, after 18 months in Vietnam. A few neighbors and relatives asked him how it had been, but Harry couldn't answer; he would stammer or reply lamely, "Oh, it was all right." It was impossible for him to talk with anyone who had not been there, or if they had, had not been in combat. It was a brotherhood of blood, even though the cause offered not a single idea he would care to give his life for. Outsiders were pariahs and he didn't want them peering in, asking questions, watching as if the brotherhood were naked and exposed. Say nothing to them, he kept reminding himself, the better to shield those with whom he shared hell.

"I have," Harry says, "a picture of myself in green jungle fatigues, walking through some kind of a mad life-and-death hallucination. One night I was going past the colonel's tent. He was holding a meeting, and I remember thinking: if you've got any guts, O'Connor, you'd rush inside, denounce the war, and get them to understand what they're doing. How could anybody who didn't fight in Vietnam understand how I could think that, and me a first lieutenant?

"I was pathetic. In the Army there's always something to hope for. I hoped I'd get into OCS. I hoped I'd graduate. Then I hoped I'd get shipped to Germany or Korea. I hoped I'd get a safe job far from fire fights. I hoped I'd get wounded and be dusted off for good. I hoped I'd merely live through Vietnam and get home in one piece.

"So, should I have run into the colonel's tent and busted up their session? It would've meant the loss of my bars, and maybe even the stockade. Yeah, I kept my mouth shut, so I could one day get an early release to go back to college, and so I could get a pass to Saigon someday—all for being a good boy."

Meanwhile, the enlisted men in his platoon were mute. At the beginning Harry thought it was stupidity, or that he was with a company of slow learners. But he talked quietly with his men, spent considerable time with the wounded and the draftees, and discovered that they were simply numb, empty, filled with despair. They were facing the angel of death and they wanted to live. That and nothing else mattered. Nothing else.

"It was Christmas Day, 1966; we were in Long Binh, and it was about 100 degrees. I had everyone put on flak jackets, as we were going out on a mission. Everybody was sweating heavily and we were all so tired, especially from the damned heat. As we walked on I expected something to happen but nothing did. Still, one of the men, a PFC, was trembling from start to finish of the patrol. Nobody laughed at him. Nobody dared. It was 'there but for the grace of God go I.'

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It was his last combat mission before going home, and he was in terror.

"Other than that, outward reactions among my men were invisible. To outsiders, they were mostly phlegmatic, stupid-looking even; down deep, it was quite another thing. Finally, things got too much for some of the guys; several tried deliberately to get wounded. I saw one man casually stand up in a fire fight and get it through the head. Another stood up, too, and only got it in the leg and the arm. He was sent to a hospital in Japan and everybody thought he was the luckiest guy in the world because he was safe and free again.

"Why they were willing to take such risks is open to question, but it seems to be only by men who went through combat in Vietnam. The rest have no right to any opinion at all. As for me, I think it was that quality of hope, the hope that you'd be hurt not too badly, but badly enough to get out of that place. To get away from the jungle rot and the heat, always the heat. It's really a remarkable experience sleeping for the first time in the rain, knowing that if you live you'll be doing that for a whole year. Over and over again, I kept asking myself, what am I doing here? I was never, I think, afraid. I just felt abandoned. Living conditions were unbearable. Nobody slept enough or cared anymore. I also felt guilty. Many times I had to send men out to certain death. They were kids like myself. I once sent two kids, both about 19, from someplace in the South, out to clear a minefield in the jungle. We suspected Charley had been there and had booby-trapped the terrain. It had to be cleared—orders. I had my other men to consider; at least that's what I was told. Nobody explained why. Just so it was cleared. We later found those two kids in a hundred pieces, blown apart by mines."

In the late spring of 1967, Harry was finally reprieved. He had been wounded. "We were in a bad fire fight, had been ambushed by NVA regulars and hit hard. I remember lying on someone's teeth and a jaw that had been blown off. We were all pinned down for hours in the woods, ants crawling all around and over me. One of my men, next to me, had been wounded in every part of his body; every time someone touched him to comfort him he would shriek. We radioed for a medivac helicopter, but when one did come it was shot down. So myself and another guy had to walk and drag him down the jungle path, infested by North Vietnamese and crossfire, a kind of Hollywood stunt; we pulled him out, not really knowing what the hell was going on, and him screaming with pain the whole time. Somehow I lost my shirt and gear, including my weapon. The guy with me was killed, and I kept dragging that poor kid out down the path, not even noticing that his yelling had stopped and he would be dead by the time I arrived, wherever the hell I was going. I remember nothing more but I was told that I was found later back in the jungle, with no shirt on and holding a .45, firing it at the trees until my first sergeant brought me back to safety. I'm also told that two hours later, the fight still on, I grabbed a rifle and walked right into the crossfire without a helmet on or even a shirt. This time I got hit, mostly in the upper arm and my left leg. All I remember is being in a helicopter and looking down and seeing leeches crawling around my arm. I must have fainted."

Before leaving Vietnam, Harry O'Connor made a promise to himself. While being mortared, he swore that if he lived, "if I get back to the world," he would never again allow himself to act in disregard of his conscience. Life, he decided, was too valuable and too ephemeral. His first post-service job was as a part-time mail clerk at Filene's. He refused to tell anyone he was a veteran, but when some other clerk made a remark defending the war he punched him and was punched

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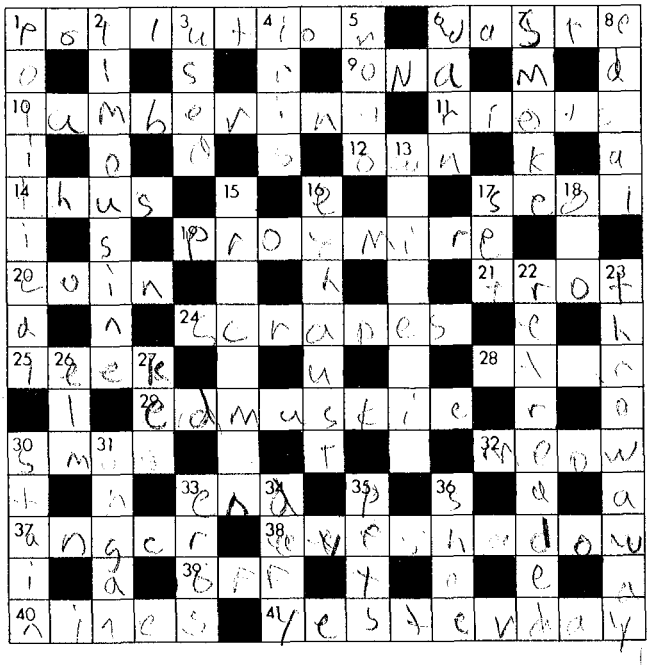
The Political Puzzle

by John Barclay



Across

1. On the land, in the sea, and in the air today, sadly. (9)
6. Work up a sweat for 1 Across. (5)
9. A Noel opal for former agency. (3)
10. Slow wooden way to get around. (9)
11. May happen if blacks must say "sir" to whites. (5)
12. To possess now. (3)
14. Best way to shut the door. (4)
17. In close, almost a walrus. (4)
19. Famous roper, Mix, from Mid-West. (8)
20. I see no reason for money. (4)
21. Fox follower. (4)
24. The spaders are sometimes too tight. (7)
25. It's enough to make you keel over backwards. (4)
28. Kind of board or chamber. (4)
29. He used mike to be heard about 1 Across. (2, 6)
30. Gumshoe without hue is upset by city problem. (4)
32. Plaintive cry in meadow without publicity. (4)
33. This may be tight or open, even dead. (3)
37. The range rearranged stays hot. (5)
38. Beauty aid we say he owed. (3, 6)
39. After kick and before hand. (3)
40. Indians, Braves, or Reds. (5)
41. He, too wise, rested a time ago. (9)

Down

1. This is a puzzle for pill at CIO. (9)
2. Fancy car almost keeps mousy in line. (9)
3. Employed abused to no degree. (4)
4. She lives in highrise, apt. 2567. (4)
5. This goon says it's all off. (2, 2)
6. Tell ex-rat warrant is coming. (4)
7. Screen doesn't help reduce 1 Across. (5)
8. An old car from Leeds. (5)
13. How January golfer in Duluth explains second shot? (5, 3)
15. Treasury Agents swallow torture instrument to get RR workers. (8)
16. Will he tax us dry? (7)
17. Established, secreted, but no creed. (3)
18. Farm vehicle is passe, especially in the middle. (3)
22. These tires will scrap heaps deter, dear. (9)
23. Convenient container for one but not for the greater number. (5, 4)
26. Mel looks good by the street. (3)
27. Sure fire way to eliminate beer can problem. (3)
30. It's an ugly blemish. (5)
31. Play rag on this. (5)
33. Love comes up angry. (4)
34. "I xxxxxx historians, heroes, lawyers, priests to put a fact without some leaven of a lie." Byron, Don Juan Canto XI. (4)
35. Step up for your animal friends. (4)
36. Fits around the hose. (4)

The numbers indicate the number of letters and words, e.g., (2, 3) means a two-letter word followed by a three-letter word. Groups of letters, e.g., USA, are treated as one word. Answers to last month's puzzle are on page 3.

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in return. He was fired immediately.

Once more he lived at home, sharing his old room with Paul. Little had changed. His father still watched TV, read the newspapers, and spent a part of each day at St. Ann's. Paul, though, had changed. He was more furious than ever at students, at black people, at doves, and at things that defied his analytical powers. At first Harry tried to talk quietly with his brother, tried to tell him what he had seen and done. And always their voices would start to rise; they'd argue, and one or the other would storm out of the house. Their father would say nothing, refusing to come between his sons and take sides.

Paul argued that life was good and quiet before the war: "Why can't people support their government and their President? Hasn't America been good to all of us?" he asked his brother. "Especially those of us whose parents came over from the old country? We have a right to life; communists and their stooges don't respect life. If we didn't go into Vietnam, they'd have slaughtered millions of Catholics."

"He'll never see it," Harry explained. "He's obsessed with that disease—the other version of the 'gook syndrome,' anticommunism. He's not religious; he doesn't give a crap really about Vietnamese Catholics. Why hell, if they tried to buy the house next door to him he'd scream about 'niggers.' But he hangs onto the flag and hates people who never did him any harm, and supports a policy that nearly killed his own brother, and may someday kill his sisters' boys. The only one who hurts him is his own government, the very one he wants to suck up to."

Harry reached out to the one relative he hoped might understand, his dead mother's youngest sister, only 15 years older than he, a librarian in Portland. "We spent a Saturday together soon after I got back; I like my aunt, she's more like an older sister. Because she lived so far away we never really saw too much of her, but that Saturday I thought I was really making headway at last with one of my family. For the first time. So before I left I said to her, 'Mary Ellen, one thing bothers me. Here we've talked all day and you say so little when I mention Vietnam. The thing that bugs me, Mary Ellen, is that you're not taking the time to find out.' She looked very sad. 'Harry,' she answered, 'I just can't think about it. And besides, even if I agreed with your views, and I don't say I do, what could I do about it anyway?' 'You could,' I said, 'speak to your friends, send letters, and things like that.' 'Harry, you're acting silly,' she said, and kissed me good-by. 'Besides, what would my friends think?' I never went to see her again after that."

Fred Schoenwald

Fred was born in Germany and brought to this country in 1947, when he was two years old. He grew up in the Elmhurst section of Queens, New York City, in a German neighborhood where his father and mother owned a small delicatessen. As their only child Fred spent almost all his time in the store, either in the front, where he relieved his parents and waited on customers, or in the rear, where the family lived in four rooms.

Fred Schoenwald saw more sustained, intense fighting than any other veteran I interviewed. He was a combat medic in a reconnaissance platoon and had taken part in several of the bigger sweeps: Addleboro, Gadsden, and Junction City I and II. Before entering the Army, he had spent two years in a New York City community college and soon after became a draftsman in an electronics firm. In the time since he has been home he has followed his mother's advice: he never speaks of the war or his service, repeating to all, "It simply never happened; I never want to hear of it again."

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He was invited to join a local VFW branch but tore up the letter. Another time, a fellow veteran, a former classmate, mistook his silence for opposition to the war and asked him to join in a peace parade in New York City. Fred never spoke to his college friend again. He insists that he be allowed to go his own way, to forget what had to be done.

"I was always nervous," Fred confessed to me. "In fact, I can't remember not being afraid. For one thing, a combat medic doesn't know what's happening. Especially at night, everybody screaming or moaning and calling out, 'Medic, medic.' I always saw myself dying, my legs blown off, my brains splattered all about, shivering in shock, and talking madly. This is what I *saw* in reality. I used to tell myself that anyone wanting to send 18 and 19-year-olds to fight ought to try it on himself or his own sons. But that was crazy talk, and I soon stopped myself.

"Killing everywhere. The VC killed village chiefs and ARVNs right under our noses. They shot down our dust-off helicopters. We killed them too. The Vietnamese people were afraid of everybody—the ARVN, the VC, of anybody who upset their lives. We weren't any better either. We'd go tromping through their grounds. We'd get orders to leave the people alone, not to harm them or their property, but so what? I saw Americans bothering the people all the time. We'd ask for their identification cards, start a fire fight, and accidentally kill a son or a mother. In all the hamlets and villages I visited as a medic, giving the people pills and injections and things like that, everywhere I saw hate in their eyes, telling me we should get out, leave them alone, and not give them any more trouble. At the beginning of my tour I thought it funny that the first Vietnamese words I learned were 'Beat it,' 'Get out of here,' and 'Your identification card?' Only after I left the country did I understand why.

"I met this girl in a village store. Her father owned the place. She was about 17 or 18, sort of pretty, and very shy. I guess she was the only Vietnamese I ever got close to. By then I spoke a little of their language and I found she was studying English and math. I said I could help her and kinda started to hang around the place when I was free, or was there for taking care of the villagers. Everybody in my platoon thought we were getting laid, but I never put a hand on her. I helped her in both subjects and twice we took a short walk to the end of the village. She was afraid of me at the beginning but later she got over it, and I started to look forward to being with her. She was delicate and her voice would rise and fall like the sing-song of their language. Once, the last time, I brought her a flower; it made me forget.

"We were up North by then, and soon we were back on daily patrol. One day we were on this patrol, it was rainy, and suddenly we were caught in an ambush. Our guys returned the fire. We hit them hard and then called in the gunships for support. It was great—I mean, I was very happy to receive that kind of help.

"Then, maybe 30 minutes after, the firing stopped and we moved out to look for the wounded and to take a body count. Up ahead, I saw a mound and a grove of trees. I walked over, carefully. There were a bunch of bodies around—all VC, and all women. They looked like peasants and all had weapons on them. One of them was my little girl friend, now dead, bullets through her chest and head. She had an automatic near her. I was shocked. She was a VC. Who the hell *were* our friends? Who were our enemies? I never felt more confused than that moment. But I think at that very instant I also felt this: she tried to kill me and my buddies, and it was good she was dead. Real good.

"As I said, I only mull these things over when I have nothing to do. I never made any close friends in the

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RACIAL INFLUENCES ON AMERICAN FOREIGN POLICY
Edited by George W. Shepherd

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Army and I don't spend any time with any vets now, so there's no one to reminisce with. Do the pieces fall in place now? Hardly. Before I went to war, I just never thought about politics. Me and the guys in our experimental brigade were a little curious about Vietnam, but it wasn't real to us. I always liked to play soldier; what American boy doesn't. I was in the Boy Scouts, I was in the school marching band, and 'Our country, right or wrong' was something that was taught me in a hundred different ways. I still believe it, despite everything. Only what happened was so different from what I really expected. I accepted the draft because that was what was expected of me—I never knew anyone who avoided the draft. My father's store has an American flag decal on its door. It's all very natural with us.

"What wasn't natural was the way it was when I got home. You couldn't tell me a war was going on by looking at the people. I went to a large shopping center in Valley Stream for a stereo. It was a Saturday afternoon and everybody and his brother seemed to be there—thousands of cars, money, people busy with their lives. Why the hell were guys getting hurt? Why didn't these people care? But in Vietnam, in that village store with the girl, such thoughts were unnatural for me, and I tried to get them out of my mind. Besides, I suppose we fought in Vietnam just for the right of these people to have the freedom to rush around that shopping center. Anyway, my parents and I survived by following along, trying as best as we could to live our lives.

"Yet I can't put it together. I hate to see any kid get sent to Vietnam, particularly if he's going to be a rifleman or a medic. If I'm asked, I can't honestly say 'I did good.' I can't say I'd ever want to go back there—or anywhere—'to stop communism.' I can't say that at all. All that I think I did was take care of a lot of people when they needed me. No more." ■

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The Burn Ward

by Ronald J. Glasser

Edwards picked up the stethoscope from his desk. "Look," he said, "You can say what you want about the Army and its problems, but I learned this much from going home: the Army treats you better dead than alive. I know," he added quickly to keep the captain from talking. "I know, it was my fault. I shouldn't have got involved with taking the body back. But I did."

"It's coming," the corpsman said, stepping away from the window.

Edwards stuffed the stethoscope into his back pocket. "OK. Tell the ward master. Better fill the whirlpools. I'll be down at the landing pad." He pushed open the double doors to the burn unit.

The huge overhead lights were off, leaving only the night lights to flicker feebly across the shiny, tiled floor. He walked quietly down the center aisle of the ward, his footsteps echoing lightly ahead of him. The beds lining the wall were barely visible, the patients no more than lumps against the frames. From the far end of the ward came the faint mechanical hissing of a respirator. He stopped a moment near one of the steel-arched Stryker frames to listen. The machine's slow regular rhythm was almost soothing. How many times he'd heard it before. Someone had once said he'd signed more death certificates than any other doctor in Japan. Probably right, he thought, continuing on his way. At Kishine, the respirator was the sound of death, not life; in all his time there, he could not think of one patient who had got off the thing.

"Hi, Doc."

"Oh, Crowley," Edwards said, coming to a halt near the little cubicle at the back of the ward. "Sorry, I didn't see you in the dark."

The side curtain had been partially pulled. Stretched out on the bed, barely lit by the dials of the respirator, was a shadowy form.

"How's he doing, Sergeant," Edwards asked the ward master who was standing at attention by the

Ronald J. Glasser was a major in the U. S. Army Medial Corps, 1968-1970. He now practices medicine in Minneapolis. This article is excerpted from his book, 365 Days, *to be published this summer by George Braziller. The story is true, but the names and dates have been changed.*

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machine that was slowly, insistently hissing air into and out of the charred body.

"Not too good, sir."

"What's his temperature?"

"105. It was 107 before we put him on the cooling blanket."

"Blood cultures growing out anything?"

"Yes, sir, the lab called back tonight—Pseudomonas pseudomallei. Major Johnson put him on IV [intravenous] chloromycetin and tetracycline."

Edwards bent over to look more closely at the restrained body spread-eagled across the frame. The air smelled sweet, like a dying orchard. "When did he come in?" he asked, peering at the grotesquely crusted body. Even the tips of his toes and fingers were charred and oozing, nothing had been spared.

"Four days after you left. Seventy per cent second degree and 15 per cent third. At least Major Johnson thought it was second degree, but it's beginning to look like it's all third."

Edwards examined the crust about the boy's swollen neck and chest. It had a sick metallic green cast to it. "When did he go sour?"

"He was doing fine until this morning. We had to give him Demerol every time he went into the whirlpool, but he's very hard core. Nice kid. Then yesterday, he became confused and agitated. On the night shift his temp spiked and he became unconscious. The surgeons trached him today, and Dr. Johnson put him on the respirator this evening. The evacs should be in soon, Major."

"Yeah, that's where I'm going. I'll check on him later."

"No need, sir, you'll have your hands full. I'll have you called if anything changes."

As he walked away, Edwards could hear Crowley drawing the curtains closed behind him. The stairwell was empty and he walked slowly down to the first floor and out onto the concrete walkway.

It was summer outside and the night was as warm as indoors. He cut across the empty silent field separating the hospital's squat buildings from the helipad, where the red lights of the landing strip flickered softly in the misty dark. Far away he heard the muffled dull thudding of the chopper whopping its way through the heavy air, and suddenly he felt alone and desperately tired.

"Gentlemen: You have been assembled here at Yokota Air Base to escort these bodies home to the continental United States. Each body in its casket is to have, at all times, a body escort. Those caskets on the plane that do not at the present time have an escort will have them assigned at Oakland. Whatever the case, no casket will be allowed to leave the Oakland area without a proper escort. Escort duty is a privilege as well as an honor. An effort has been made to find an escort whose personal involvement with the deceased or presence with the family of the deceased will be of comfort and aid. Your mission as a body escort is as follows: to make sure that the body is afforded, at all times, the respect due a fallen soldier of the United States Army. Specifically it is as follows: 1) to check the tags on the caskets at every point of departure; 2) to insist if the tags indicate the remains as non-viewable that the relatives not view the body. Remember that non-viewable means exactly that—non-viewable. . . ."

Grimly, with the chopper coming nearer—louder—Edwards walked up a slight rise, past a small, dimly lit sign:

KISHINE BARRACKS
109th UNITED STATES
ARMY HOSPITAL
United States Army, Japan
Burn Unit

"Coastal Airlines loads the bodies on an angle. Be sure that if the body you are escorting is being carried by Coastal Airlines that the caskets are

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loaded head down—this will keep the embalming fluid in the upper body. If the body is loaded incorrectly, namely, feet down, the embalming fluid will accumulate in the feet, and the body may, under appropriate atmospheric conditions, begin to decompose."

By the time he reached the evac area, the floodlights were on and the chopper had landed. Coming in from the dark around the back of the evac building Edwards was dazzled by the sudden lights. The Huey, low and glistening, its rotors still whirling, sat like a toy exactly in the middle of the arc lights. Its crew chief and co-pilot were already in the open hatchway unstrapping the litters from their carrying hooks. Edwards watched unseen while the corpsmen hurried out to the chopper to off-load the patients. The choppers usually came in about 10 in the morning, but when a bad burn was evac'd to Japan, they were flown in the same night. Burns are a very special kind of wound, and no physician anywhere wants the responsibility of caring for them, not even for a little while. For openers, burns look bad and the patients die.

"Each of the next of kin listed in the deceased 201 file has already been visited by a survivor assistance officer. This was done in person by an officer in uniform from the nearest army unit. Every effort is made to pick an officer from a similar racial and economic background. These families have already been convinced of the death by either the presentation of personal effects or the relating of an eyewitness report from a member of the deceased's unit. You need not convince the deceased's relatives. The point to remember is that the survivor assistance officer has been there before you and the next of kin have already accepted the death."

He was standing in the reflected glare of the landing lights, with the windy noise of the chopper rushing past him.

"Sir. Sir?" one of the corpsmen was shouting above the whining of the motor. "One of 'em's got a head wound, the other is just burned."

"Call the neurosurgeon," Edwards shouted back. He gave the empty chopper one more look and then followed the medic into the air evac area. By the time he reached the building, the medics had placed the two litters on the movable stretcher racks and one of them, working on the patient nearest the door, was already setting up an IV.

"He's OK, Major," the air evac sergeant said. "The head injury's over there."

"One hundred and seventy," the corpsman said as Edwards approached the litter. The wounded soldier, his head wrapped, was lying unconscious on his back, with the blood pressure cuff still wrapped around his arm. "I figured I'd leave the cuff on, sir. He don't look too good."

"I'll give you that," Edwards said. He began to unwrap the gauze from around the patient's head. The boy was breathing; other than that he looked dead. Edwards pinched his neck, but there was no response. As he unwound the gauze it became wet and then blood-soaked. Now he was down to the four-by-four surgical pads, and finally to the wound itself. Carefully he lifted up the last pack. Despite himself, he closed his eyes.

"He's 47 per cent burned," the sergeant said, reading the cover sheet of the soldier's medical record. "Took an AK round a little in front of the right eye. Removed the right eye, traversed the left orbit, removing the left eye and came out near the left temple, apparently blowing out the left side of his head."

"Don't worry. I'll be careful, Bob. Honest, I'll be careful. . . ."

"Send him to neurosurgery," Edwards said. "We'll treat his burns

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up there."

"An IV?"

"No, just send him up."

He walked across to the other wounded trooper. The corpsman had just got the IV started.

"Sorry it took so long, sir," he said. "Hard to find a vein."

The boy was awake, nervously looking at the needle the corpsman had stuck into the back of his hand.

"Hi," Edwards said. "How do you feel?"

The soldier looked up at him apprehensively. The skin on his face had been seared red and all his hair and eyebrows and lashes had been burnt away.

"I know you're nervous," Edwards said soothingly. "Just try to relax. I'm the chief of the burn unit. I'll be your doctor for a while until you get better." As he pulled back the blanket the soldier grimaced. "Sorry," he said, lifting the cover more carefully.

The burns, red and raw, ran the whole charred length of the boy's body. Unconsciously Edwards began adding up the percentages of burned area, tallying them in his mind. He suddenly realized what he was doing, and for a moment, as he stood there staring at the burns, he looked stricken. "How did it happen?" he asked gently, carefully dropping back the covers.

"I. . . I was carrying detonators. . . ."

"Dear Bob: We are fighting very hard now. I haven't written Mom and Dad about it. I don't want to worry them. But we are getting hit and badly. I'm the only first lieutenant in the company who hasn't been hit yet. And last week I lost two RTO's. They were standing right next to me. It gets a bit spooky. I know what you said about my flack vest, but you haven't been here and you just don't know how hot it can get. On the move, it's just too damn heavy. You can't carry a 60-pound rucksack in 110 degree heat and an 11-pound flack vest. I make the point wear his, but then someone else carries his gear. It's like your complaint about patients demanding penicillin—sometimes you just can't use it. It's the same with a flack vest. Besides, it wouldn't stop a round and that's what we've been getting lately. But I'll wear it when I can. By the way, you're beginning to sound like Mom. About what's been happening lately. I'm not complaining, don't get the wrong idea. There is, honestly, something very positive about being over here. I can see it in myself and my men. Not the war itself, God knows that's hopeless enough, but what happens to you because of it. I'll never be the same again. I can feel myself growing. Unfortunately you only see one end of it. That's a bit sad, because there are other endings and even middles. A lot of guys get out of here OK, and despite what they say, they're better for it. I can see it in myself. I'm getting older over here in a way that I could never do at home or maybe anywhere. For the first time in my life, everything seems to count. All the fuzziness is gone, all the foolishness. I can't believe the things that used to bother me, or even that I thought were important. You really see yourself over here. It works on you, grinds you down, makes you better. Got to go. Thanks for the R & R. Say Hi to all the guys in the burn unit."

"What?" Edwards said.

"Detonators. I must have taken a round in my rucksack. They just blew up and then I was on fire. Tried to tear my gear off, but my hands. . . ."

"It's all right," Edwards said. The evac sergeant handed him the patient's medical jacket. Quickly turning the pages, he read: "Eighty per cent second degree and third degree. Debrided under general anesthesia at the 60 evac, Chu Ci. Six liters plasmonate. . . catheterized. . . furacin and sterile dressings. . . Demerol . . 64 mg q three hours." He looked on the cover sheet. David Jensen, MOS B11;

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1/30 E-2, Fourth Division, 20 years old.

"Twenty years old," he thought, handing back the chart. Grant's age.

"David," he said wearily.

"Yes, sir."

"The first thing we're going to do is put you in a whirlpool bath to soak off your bandages and remove what dead skin we can. It's going to hurt."

"Yes, sir," David said, his voice wavering.

"If it hurts, just let us know. Is that understood?"

"Yes, sir."

"You don't have to call me sir."

"Yes, sir, thank you, sir."

"Take him to C-4," Edwards said to the corpsman. "Tell Sergeant Dorsey I'll be right there. And David. . . "

"Yes, sir."

"Burns look and feel a lot worse than they are. You're going to get better."

"Yes, sir."

Edwards watched the corpsman wheel the boy out of the evac area, and then left the area himself to go to the neurosurgery ward. It was a long walk. Like all army hospitals, Kishine is fantastically spread out, its buildings and wards acres apart so that no one shell or bomb can get it all. By the time he got to the ward, the neurosurgeon was already in the treatment room. The patient, partially hidden by the nurse and doctor, was lying naked on the treatment table. There were blood-soaked clothes and bandages all over the floor. Cramer turned his head for a moment, looked at Edwards, and went back to work.

"His frontal lobe is torn up," Cramer said. "I'm going to have to take him up to the operating room and save what I can. What do you think about his burns?"

Looking over Cramer's shoulder Edwards saw that the surgeon's fingers were deep inside the half shell of the boy's skull. "Don't worry about the burns," he said, turning to leave.

"Oh, Edwards," Cramer said as he reached the door. "I know how close you two'd become. I'm sorry."

"Regardless of the branch of service: The emblem of the Infantry, crossed rifles, will be carried on every coffin. The deceased, where the remains are viewable, will be buried in full military uniform. The emblems on his uniform will be that of the service to which he was attached at the time of his death."

He walked down the corridor to the elevator. Leaning wearily against the wall, he pressed the button, and without looking stepped in even as the door was opening, almost colliding with one of the patients. "Sorry," he said, moving over to the other side of the elevator. The patient, his bathrobe slung over his good shoulder—the other was wrapped in a plaster cast—smiled politely, and was about to look away when he saw the doctor's name plate on his uniform.

"Excuse me, sir."

"Yes?"

"Do you have any relatives in Nam?"

"Yes," Edwards said, "I do."

"First Air Cav?"

"Yes."

"Is his name Grant?"

Edwards nodded as the elevator suddenly slowed to a stop.

"Your brother?" The door opened. "I thought so," the trooper said, obviously pleased. "You sort of look like him."

"Come on," Edwards said pleasantly, holding the door.

"I saw him about three weeks ago. There isn't a better platoon leader in the whole cav. But I can tell you this, they were handing him some shit to do, when I saw him. His unit was on their way to getting their ass whipped."

"Are you sure, Grant? Why don't you go into Tokyo? You only have a few days for your R & R. You might as well have a good time."

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"But I want to see what you're doing."

"It's not nice."

"And where do you think I've been?"

He had been surprised at how well Grant had handled himself in the burn unit. He had seen more than one visitor walking through the ward trying desperately to be natural, moving stiffly from bed to bed, smiling and talking as if the boys weren't burnt at all. When Grant visited, there were two ghastly 90 per cent burns stretched out, blistered and dying on their Stryker frames. Grant had stopped to talk to them and stayed with each much longer than he had to. He was very much at ease. He didn't ignore their wounds, or pretend not to see that they were so obviously dying. He simply talked to them, interestedly and honestly with a concern so palpable that no one could doubt his sincerity. He was one of them and, for a moment, watching his brother sitting by their frames, Edwards felt suddenly very much outside it all. He was very proud of his younger brother.

"I've seen worse, Bob. Really. . . a lot worse."

"Sir?"

"Yes, I know," Edwards said gently. "They did get whipped."

When he got back to the burn unit, he found David in the treatment area, already floating full length in one of the whirlpool baths, his head supported on a padded board to keep it above the waterline, the water gently churning about his burnt body. His IV bottle was still working, hanging down from a ceiling hook. A few of the dressings had already soaked off and the medic was picking them out of the water. Taking an admissions chart off the wall rack, Edwards sat down on a chair next to the huge tub.

"OK?" he asked.

David, clenching his teeth, nodded.

"David," he said, "we're going to debride you a bit—take off the dead skin. We are going to have to do it every day, a little bit at a time. That way it won't be as painful." David was looking anxiously at him. "Once you know what's going on, it won't be so bad. We're going to put you into the whirlpool every day and all the skin that is loose, or loosening, is going to be removed. It has to be done." He hesitated a moment and then went on matter-of-factly. "If we don't take it off, it just stays and decays, forming a place for bacteria to grow and divide, and you'll just get infected. That's what we want to avoid, because if the burns get infected no new skin will form. It's going to hurt, and I'll give you something for the pain when I think you need it."

"Yes, sir."

"I've been doing this a long time, David, and I know when it really hurts and when it doesn't. We're going to have to be doing this for some time and we don't want to make an addict out of you, so we're only going to use the pain medicine when we have to. I know you can do it. There have been a lot of troopers, just like you, through here, and I know you're as fine as they are."

David had been staring up at him the whole time. What was left of his lips were clamped tight against the pain of the water churning against his blistered skin. "Yes, sir," he said, his voice trembling.

"OK, John," Edwards said. David looked nervously from him to the corpsman. Pieces of dead skin were already floating free. The corpsman, kneeling down beside the tub, began picking off those pieces that were still attached but had been loosened. "How long have you been in Nam, David?"

"Five. . . five months," David said, watching the corpsman pick a chunk of skin off his chest. He had to tug to get it off. David grimaced, barely suppressing a groan.

"How do you like the Vietnamese

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women?" the medic asked.

"Don't know," David said, painfully engrossed in watching the corpsman go after another piece of his skin. "Didn't meet any gooks."

"How come?" the medic asked, scooping a piece of skin out of the water.

"We killed 'em all."

Suddenly David let out a scream and the scream, echoing off the spotless tile walls, pierced Edwards to his heart. His eyes clenched tight, the boy was fighting valiantly for control. Blood began oozing from the new patch of raw skin on his chest, and Edwards could see the tears rolling down his burnt cheeks.

"Where you from, Doc?" the cab driver asked.

"Japan."

"Oh," the cabbie said, pulling away from the curb, "thought so, saw the Fuji patch on your sleeve. Nice place, huh?"

"No," Edwards said.

"I heard that Japan was paradise."

"I work in a burn unit."

"Oh, get many burns over there?"

"There's a war on. Remember?"

"You mean, you get those guys in Japan?"

"Yeah," Edwards said, "We get those guys. . . "

"Major, Major?"

Edwards opened his eyes. It was the ward master. David was still there, sobbing.

"Excuse me, sir. Those flights back from the States are tough. I'm sure you haven't caught up with the time change. Why don't you take a sleeping pill and get some rest."

"Think I'll take your advice," Edwards said, closing his clipboard. He wrote a Demerol order for David and then went to his room. As tired as he was, though, he couldn't sleep. Every time he drifted off, he'd see Grant's tag: "Remains, non-viewable." And all that time in the States, he thought he could handle it. . . .

He woke up in the morning exhausted, put on his wrinkled uniform and went to the ward.

Johnson was already in the office. "Hi," he said, turning around from his desk. "You know you didn't have to work today—or yesterday, for that matter."

"I know." Edwards hung up his jacket. "There's really not much else to do."

Both he and Johnson had shared the same office for almost a year now. Johnson had been the plastic surgeon working with the burn unit at Duke University. He had been drafted and assigned to Kishine.

"You want to go on rounds?" Edwards asked.

Johnson pressed the button on the intercom. "Julian, we're gonna start rounds." He pushed himself away from the desk. "Let's go."

"How's the fellow on the respirator?"

"He died this morning," Johnson said, picking up his notes. "I told the corpsman to leave you alone."

After rounds, Edwards went down to the bacteriology lab and then to his office. Johnson had gone to X-ray to check on a few films. He sat down at his desk and looked at the two weeks of correspondence that had been piled neatly at the corner of his desk. He was reaching for the first letter when the intercom buzzed. "Major, Jensen's in the whirlpool."

"OK, be right there, thanks."

David was already in the tub, being debrided. Edwards knelt down by the side of the tub and checked the burns. At some places, on the thighs and chest, he could see down to the muscle fibers criss-crossing under the burnt fat. "David, I'm going to stop your IV," he said, straightening up. "You're going to have to start eating. The ward master told me you didn't touch your breakfast. Hurt?"

Chewing on what remained of his lips, David winced.

"Jessie, why don't you give him 25 of Demerol."

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"Yes, sir," the corpsman said.

"Why didn't you eat?"

"No one was there to feed me," David said, watching the corpsman open the medicine cabinet and fill the syringe.

"We don't feed you here," Edwards said. "You feed yourself. You've got to start using your hands sometime." He waited while the medic searched for a place to give the injection. "In his arm," he said.

The corpsman found a small, unburnt area near the elbow and plunged the needle into the skin. David, watching him, visibly relaxed. He turned his head on the board and looked at Edwards.

"We can help you grow new skin, stop your infections, graft you—if it comes to that. But it will all be for nothing if you leave here with all your joints tied down by scar tissue. If you don't exercise and keep the scar tissue and new skin over your joints loose and flexible it will tie 'em down like iron. All that new skin and scar that will be forming has a tendency to contract with time. If you don't keep it loose, you'll leave here as much a cripple as if someone had shot off your arms and legs. Your hands aren't that bad, David. We'll start today with them."

"But I can't hold a fork."

"We'll put wooden blocks on them, and as you get used to handling one size, we'll make the blocks smaller. Understood?"

"Yes, sir."

"You married, David?" Edwards asked.

"No."

"Engaged?"

"Yes, sir."

"Would you like me to write her for you?"

David closed his eyes. "No, sir, I don't think so."

"All right. I'll check on you later."

That evening, despite the fact that Johnson was on call, he went back to the ward. All the patients had been settled in for the night. The ward master was in the treatment room, cutting adhesive tape into 12-inch strips.

"What's new, White?"

"Nothing, Doc, really. Same old thing."

"How's Jensen doing?"

White put his scissors back into his pocket. "He's doing all right. We drew two blood cultures on him this evening and sent a titer off for moniliasis. He had some difficulty using the blocks, but he got a few bites down; seems as if the sulfamyelon is bothering him. Stinging him. You never know who it's going to bother."

Edwards walked out into the unit. David was on a Stryker frame halfway down the ward, lying on his stomach. White sulfamyelon cream was smeared all over his burnt back, buttocks, and legs.

"How's it going?"

"Fine, sir."

"The ward master told me that you did all right at supper."

"Yes, sir."

Later that evening, one of David's blood cultures began to grow out Pseudomonas arinosa, a bacillus resistant to most antibiotics. The bacteriology lab called the ward and the ward master called Edwards. He told the ward master to restart David's IV and put him on 200 mg of polymyxin every four hours.

The next morning, after rounds, Johnson got him alone. "About Jensen's polymyxin," he said. "Do you think his kidneys are good enough to handle that big dose?"

"What would you suggest?" Edwards said.

"You could destroy his kidneys with that much polymyxin."

"I could save him, too."

"If he's going to die," Johnson said, "he's going to die."

"You sure?"

"Well, he's 80 per cent burned and his blood culture is already growing out Pseudomonas."

When he came back to the ward, he found David lying on his back, and

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the corpsman was smearing on the last of the sulfamyelon, spreading it over David's charred stomach as if it were butter.

"This stuff stings, honest, Doc," David said. "It just keeps stinging."

"I know," Edwards said. "It does that sometimes, but it will get better with time. You sort of build up a tolerance to it. The point is that you need it now. It keeps your skin from getting infected and gives the new skin a chance to grow. Believe it or not sulfamyelon is one of the major breakthroughs in the treatment of burns."

"Can't I have something for the stinging?"

"No, David, I'm sorry."

That evening, down in the hospital bacteriology lab, his second blood culture started growing out another patch of pure Pseudomonas. When Edwards came to work up the new admissions, he stopped by to see David and found him on his stomach again.

"How does the skin grow back?" David asked, speaking to the floor. The day before he had mentioned there were 16 different colors in the floor tiles. "I mean, where's it gonna come from?"

"From you."

"Yeah," David said. "How?"

Edwards pulled up a chair. "You have enough, you don't really need very much," he explained. "The skin grows back from the areas around the hair follicles; the follicles go down pretty deep, down into the area below the skin. Below the burns the new skin grows out from the lining of these follicles, like grass out of a valley. These linings are like nature's reserves. The new skin just keeps growing out from them, creeping over the burned area, until all these little growing areas come together."

"Why am I going to have to be grafted then?" David said sullenly.

Edwards sensed the despair in his question. "Sometimes," he said, trying to sound reasonable, "if the burns are too deep, deep enough to destroy the follicles, then there is no skin to grow back, so we have to graft."

"Where are you going to get the skin for that?"

"From your friends, David," Edwards said gently, "from your friends."

The morning culture again grew out Pseudomonas. That afternoon they took David to the operating room and covered his legs and part of his stomach with cadaver skin. When Edwards visited him again that evening, he complained that his head hurt and the sulfamyelon was stinging even more.

"What will you do when you get home?" Edwards asked.

David was sullen. "School, I guess."

"You've got to be more positive than that," Edwards said coaxingly.

"I was positive before I got burned."

"I'm telling you, you're going to be OK."

"I didn't see it," David said reproachfully. "I was just walking. I wasn't even point. I swear to God, I didn't even hear it. Can you believe that?" he said loudly. "I couldn't even goddamn hear it."

Within three days, the cadaver grafts failed, refused to take, and Edwards had to order it pulled off, like the rest of the dying skin. David, lying in the water, saw him as soon as he walked into the treatment room.

"I'm handling it, dammit," he said belligerently. "Just leave me alone, will you? Just goddamn leave me alone."

That evening David ignored his presence.

"I saw you with some letters this afternoon," Edwards said, noting how the whitish scar tissue under David's chin had a pale greenish cast to it. "Nice handwriting. Your girl?"

"No, my family."

"What did they say?"

"It's in the drawer."

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Edwards opened the drawer of the nightstand next to the frame. It was a rather bright letter, careful, measuredly written, filled with support and concern. There was a section about Carol, how much she loved David and how happy she was that he was finally out of the fighting.

"Did you answer?" Edwards asked.

"I didn't know how."

"They know you're burned." Edwards refolded the letter. "It seems to me they're holding up quite well. The least you could do is help them out."

David slowly turned his head. His eyes, hollow holes, stared coldly and defiantly at Edwards. "I've been throwing up all day. I can't keep anything down."

"Yes," Edwards said calmly, putting the letter back in the drawer. "I know."

"I'm not going to make it, am I? No, no, don't interrupt. I know I'm not. That stuff you keep putting into my IV bottle—the only other guys who get it are the ones on respirators. I know," he said, almost triumphantly. "I've checked on the way to the whirlpool. I know." It was all there in his eyes—the pain, the suffering, the loss of belief. It caught Edwards off guard.

"I told you about the pain, didn't I?" he said angrily. "Have I bullshitted you yet? Look, if you were going to die, I'd let you know. Right? I'd give you the chance to tie things up, understand?" A certain distance entered David's stare, a vague confusion that was more pathetic than his glaring hopelessness.

Edwards got up. "Now, dammit," he said, "I want you to think of an answer to that letter. I'll be back in the morning and I want an answer. Is that clear?"

Depressed and angry, he left the ward. Outside he passed groups of patients from the other wards, some standing around talking, others doing nothing, or being pushed around in wheelchairs by their buddies. Johnson was right, he thought. David would die. He was probably, all things considered, dead the moment the round hit the rucksack.

The phone woke him a little past three the next morning.

"Major!"

"Yeah." Edwards fumbled across the night table for the lamp switch.

"This is Sergeant Cramer. Jensen's temperature just spiked to 105."

"OK," Edwards said, switching on the light and sitting up. He cleared his throat. "I'll be right over." Even as he was hanging up, he was reaching under the bed for his shoes.

The ward master met him at the entrance to the unit and followed him hurriedly down the ward.

"He's becoming disoriented."

"What about the cultures?" Edwards asked quickly. "Still Pseudomonas?"

"No, this morning's grew out Klebsiella."

David was lying on the frame. All the covers were off and he was trembling.

"106," the medic said, reading the stool-smeared thermometer.

"Better add some kanamycin and Keflin to the chloromycetin. How's the blood pressure?"

"Stable."

"How much kanamycin and Keflin?" Cramer asked.

"A lot, a lot. Just get it!"

Cramer looked at him and quickly left to get the antibiotics.

"David, David," Edwards leaned over the frame. "David!"

Slowly he opened his eyes, but there was no light in them, no gleam.

"Listen," Edwards said, lowering his voice. "I'm going to have to put you on a cooling blanket. It's not going to be comfortable, but your temperature. . ."

"I can't think of anything," David said, closing his eyes again.

"He's been confused for the last hour," the medic said.

A moment later, the ward master

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came back with the antibiotics already drawn up into two syringes. While he shot the drugs directly into the IV bottle, Edwards said, "We'd better put in a central venous pressure. How's his urine output?"

"Down 60 cc in the last two hours."

"Does he have any blood cross-matched?"

"Four units."

"Respirator?"

"There's one down in central supply. We can get it any time."

"What about his moniliasis titers?"

"Still normal."

"White count?"

"The lab technicians are doing it now."

"Let's see his electrolytes."

"Doc."

Surprised, Edwards turned around. David had stopped shivering.

"Doc!"

Edwards hurriedly bent over the frame.

David stared up at him, his eyes strangely clear and deep. "You didn't have to come, not all the time."

"I wanted to," Edwards said.

"They told me about your brother and your taking him home." David was about to go on when, gasping, he suddenly bolted upright and, struggling against the restraints, vomited up a great flood of bright red blood.

Dying in the burn unit is not normally that dramatic. There is usually very little blood; burns die inside out, down at the cellular level, where the billions of struggling cells just simply give up. It is for the most part a kind of gentle going; breathing becomes labored and distant, circulation falls apart, hearts dilate, livers and spleens grow to twice their size, lungs gradually fill with fluid, and there is always a certain period of confusion. But after it, a comfortable time of unconsciousness, where nothing is done and everything—even the last breath—is rather a leisurely giving up.

Suddenly, with the blood still welling out of his lipless mouth, David went rigid and, arching backwards, collapsed against the frame. Edwards grabbed the suction off the wall and, pulling open David's jaw, began sucking out his mouth, trying to clear the blood and vomit out of his airway. The gasping stopped and there was the more comfortable sound of air moving in and out.

"Get the blood," Edwards ordered, reaching for the oxygen mask. He was turning up the oxygen flow, just as Cramer came running back with the blood.

"Call Johnson. Set up a cut-down tray, and get a tracheotomy set."

The ward master unhooked the IV from its bottles. "The blood is still ice cold," he said.

"Just hang it," Edwards ordered, holding open David's jaw, trying to get out more of the blood. "Just goddam hang it. And call the general surgeon. . . David! David!" He pressed the oxygen mask over the boy's mouth and he could feel the new skin slipping away under the pressure of the mask's rubber edges. "David! David! Can you hear me? OK, listen, you have an ulcer. We might have to operate tonight. You have a lot of blood and stuff in your lungs. I'm going to have to put you on a respirator. It will help you breathe, so I'll have to make a little hole in your windpipe. It won't hurt." He looked up, checking the blood running down into the IV tubing. "It's just to help you breathe. Honest. Just to breathe."

The corpsman had set up the tracheotomy, and Edwards held the oxygen mask in place while the ward master quickly cleaned David's neck as best he could. The noise coming from inside the lungs was getting louder again. Even with the oxygen David was having to fight to breathe.

"I'm going to make the hole now," Edwards said, removing the mask. Little bits of skin came away with it.

"Doc," David gasped. "Take me home, too. . . Please, Doc, I don't want to go alone. . . ." ■

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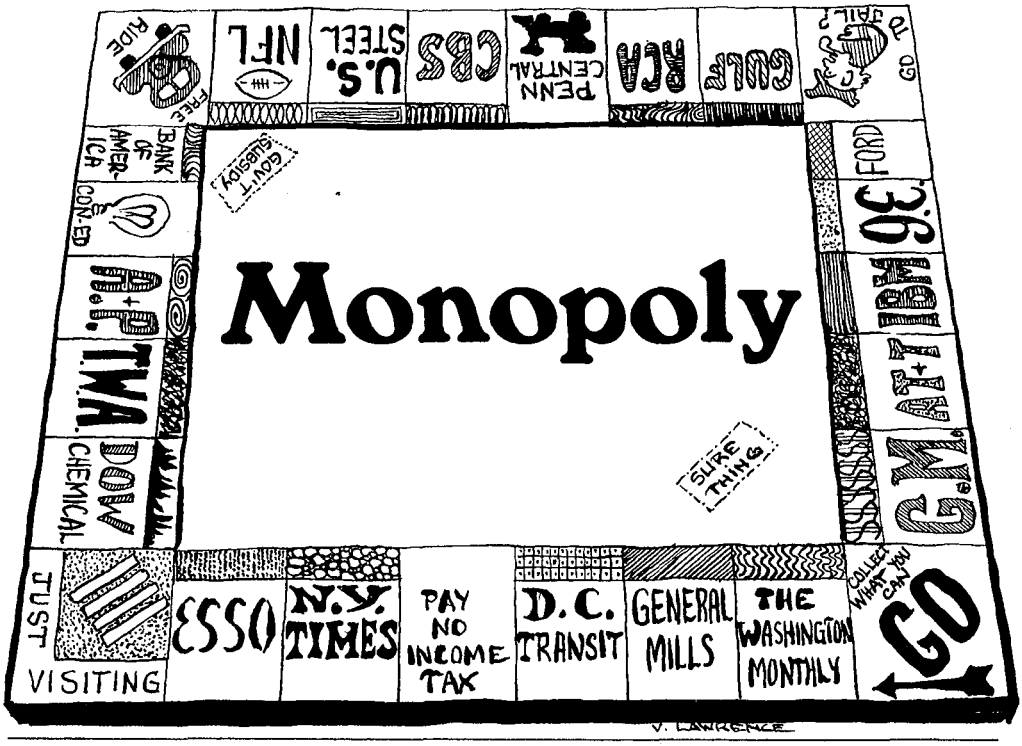

by Charles E. Mueller

The sad state of the American economy has become a partisan matter again—even for the economists, whose reputation as neutral and effective technologists has suffered somewhat in the conflicting and often erroneous pronouncements they have offered to explain our simultaneous burdens of high unemployment, stagnation, and inflation. Few people, strangely, have pointed to the one economic phenomenon that is acknowledged to increase both prices and unemployment: monopoly, which produces higher-than-competitive costs and prices, reduced output, more unemployment, reduced rates of technological progress, and high levels of advertising to differentiate (in some psychological sense) the physically identical products of rival manufacturers.

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The mere *presence* of monopoly, with its centralized control and the violence it does to the reality of a free market, is supposed to raise the blood pressure of the true conservative. Yet there is little agitation in conservative circles for a full-scale antitrust campaign, although it can be shown that monopolist tendencies characterize about one-fourth of all U. S. industries numerically and a far greater portion of all corporate assets. This concentration exists not only in the well-known industrial giants like steel and automobiles but also in an enormous variety of more obscure markets: typewriters, chewing gum, razor blades, and biscuits, to name a few. The *effects* of monopoly—on the consumer, especially the poor, and the society as a whole—are supposed to be particularly offensive to liberals. Here again, however, there has been little agitation, even though monopoly is estimated to cost the country between a $16-billion rock-bottom figure and a

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$230-billion annual price tag espoused by a Senate subcommittee—with no offsetting economic benefits whatever.

So the economy, in all its confusion and pain, looks by its symptoms as if it suffers from monopoly. It also *is*, by the available evidence, burdened with excess concentration. Monopoly has no friends in theory nor advocates in public politics. It is not only a drain on the nation economically but a threat to individual freedom because of the monopolist organization's power over its customers and control over the security of its employees; and monopoly, given sufficient political will on the part of the nation, is relatively easy to eliminate by requiring the guilty corporations to spin off smaller competitors. Despite all this, there is no major mobilization against economic concentration, and the merger trend continues. Assistant Attorney General Richard McLaren, head of the Justice Department's Antitrust Division, has initiated a modest antitrust campaign. But even that effort is small in comparison with the task, and it is considered quite separate from the woes that beset Professors McCracken, Shultz, and Burns, the President's top economic advisers. Antitrust questions, in short, are nearly irrelevant to economic policy at a time when they should be at the forefront of the debate.

Perhaps the second most important concept in economics today—second only to the Keynesian proposition on the relationship between aggregate national expenditures and full employment—is the concept of a relationship between the structure of a product market and its social performance. In brief, it has been established beyond the point of really serious dispute that, without any necessary collusion or conspiracy, an industry becomes effectively monopolized *when the four largest firms control 50 per cent of the market or more.*

More than 25 major statistical studies in the last decade have all identified the four-firm/50 per cent level as the point at which marked monopolistic effects set in regarding prices, profits, and costs. This is a very conservative dividing line. In other words, many American industries with less concentration—say, with five firms having 50 per cent of the market or four firms with 40 per cent—also show signs of monopoly; but the evidence is so pronounced at the four-firm/50 per cent level that the significant monopolistic effects can safely be attributed to any industry which meets that test.

The Supreme Court has actually recognized a far stricter standard in one area of antitrust law—mergers. In a 1966 case, *United States v. Von's Grocery Company,* the Court disallowed a proposed merger between two California grocers who each controlled only about 4.5 per cent of the market —on the grounds that their combined market share of nine per cent would tend to restrict competition. Since then, prevailing judicial decisions have prohibited direct mergers that give two companies more than about eight or nine per cent of the market. But the Supreme Court has not handed down antitrust decisions against the multitude of *existing* companies that are already much more monopolistic than Von's Grocery. Nor has the Court barred the acquisition of monopoly power by means other than direct merger, such as advertising or market growth made possible by subsidies from a parent conglomerate.

If the Supreme Court's merger test were applied to existing American industries, the vast majority of major corporations would be held in violation of antitrust law. Far fewer industries qualify under the four-firm/50 per cent test, but the many industries that do qualify are far more concentrated than California grocers. In any case, the four-firm/50 per cent measure has been confirmed as a reliable indicator of substantial monopoly power by a host of detailed studies both in and out of the government. It

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is considered, in the words of Richard McLaren's economic assistant, a kind of "collusion index."

This identification of a boundary line between relatively competitive industries, on the one hand, and monopolized industries, on the other—and of the vast differences in social performance that they spawn—is of enormous practical significance. Knowing a point at which competition ceases to function in its socially desirable forms, we have for the first time some workably exact policy guidelines for a realistic industrial reform program. Thus there is no need to atomize the country's automobile industry back to the situation that existed in the second decade of the century—in the early years when there were more than 100 separate firms making automobiles. Separating General Motors into, say, five companies (Chevrolet, Pontiac, etc.) and Ford into, say, three, would produce a quite competitive automobile industry, one in which no firm would have more than about 10 per cent of total industry sales, and therefore no four would have more than roughly 40 per cent. We can say with considerable confidence that this modest change in the auto industry's structure would result in a rather prompt decline in auto prices, an increase in output (more employment), safer and more pollutant-free cars (technological advancement), reduced advertising expenditures on autos, greater opportunities for smaller entrepreneurs both to manufacture and distribute automobiles and related products, and other such socially beneficial changes.

How many industries would we have to push back over the 50 per cent (four-firm) concentration line? In crude terms, the answer is about 100 industries (out of a Census Bureau total of 430) if one wants to be fairly thorough about it, or at least a dozen if one is satisfied to get the core of the job done now and leave the mopping up to the next generation. What would it get us in terms of dollars saved? Ralph Nader has estimated that monopoly in all of its various forms costs the consumer over 20 per cent of every dollar spent, or more than $100 billion per year. Senator Hart has put the figure at 35-40 per cent ($170-230 billion per year). Part of this estimate represents a loss to the entire public—a lowering of the national standard of living—and part of it represents a shifting or displacement of income: from workers to monopolists, from labor to capital, from small competitive businesses to industries of monopoly like advertising. Senator Hart's figure may turn out to be on the low side for the combined total if a program of serious reform is ever undertaken and the real extent of overpricing in these industries exposed to the light of day.

Economists working in this area offer more refined estimates of the actual public losses traceable to the absence of competition in these oligopoly industries. For example, two leading economists in the industrial organization field, William G. Shepherd and Frederic M. Scherer of the University of Michigan, have recently made separate estimates of the country's overall monopoly losses. The most conservative of these two sets of estimates, those of Shepherd, are that: a) prices tend, on the average, to be 10-30 per cent above the competitive level in the intermediate and tight-oligopoly industries; b) "market power appears to double or triple the margin of extra profitability over bedrock minimum competitive profit levels of six to eight per cent"; and c) costs tend to be increased by, on the average, some five per cent where concentration is very high." For the economy as a whole, the unnecessary costs borne by the nation as a result of its monopolies—cost being measured in the technical terms of "welfare loss" or lost output—are estimated by Shepherd at about three per cent of national income (approximately $16 billion in 1966). Scherer, applying somewhat broader criteria,

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puts the national welfare loss here at something on the order of 6.2 per cent of GNP, or, at current levels, roughly $60 billion per year.

The few litigated cases in which good business and statistical data have been made available indicate that the cost-effects of monopoly are almost invariably a great deal higher than those suggested here. In one case, for example, involving a price-fixing conspiracy in the sale of bleachers (folding seats used by schools and other institutions), prices rose 32 per cent during the period in which the conspirators were agreeing on them. The *profits* of the firms involved reflected only nine percentage points of that increase, however, the other 23 points having been wasted by the conspiring firms on inflated conspiracy-related *costs*. When the conspiracy was broken up by an antitrust lawsuit, prices fell by the whole amount, 32 per cent —not by just nine per cent, the amount of the residual monopoly profits.

Other cases have revealed similarly large gaps between the non-competitive and the competitive prices of goods and services. The recent break-up of a price-fixing conspiracy among a group of bakeries in the state of Washington resulted in a drop of nearly 20 per cent in the price of bread in the area. Consumers in Seattle alone, for example, realized a savings of some $3.5 million per year from that price decline, or total savings of approximately $17.5 million over the five-year period since that conspiracy was broken up in the latter part of 1964. A still more important example of this phenomenon is provided by a recent price-fixing case involving the well-known antibiotic drug, tetracycline. Its price fell by approximately 75 per cent after the conspiracy was broken up, for total savings to its purchasers of some $60 million per year. The price-fixers had charged 51 cents per capsule for a product that cost them 1.6 cents to make.

Whether one chooses the stringently conservative "welfare loss" figures suggested by Shepherd as the appropriate measure of monopoly's annual cost or the more robust $100-230 billion figure suggested by Nader and Hart, it is clear enough that the losses associated with the country's monopolized industrial sector are fairly staggering. Even that smallest of the technical estimates, $16 billion per year, is hardly insignificant alongside the cost figures associated with some of the more monumental of the country's other major problems:

- the country's total crime bill was $32 billion last year.
- the Vietnam war cost us $27 billion last year.
- removing the major sources of pollution would cost an estimated $15 billion per year.
- eliminating poverty ($3,000 minimum for all families) would cost an estimated $11 billion per year.

From Razors to Explosives

How much of the American economy has already been monopolized? "All in all," Shepherd estimates, "at least 35 to 45 per cent of market activity in the United States appears to take place under conditions of substantial market power." In the manufacturing sector, for example, out of a 1966 total of 420 manufacturing industries, there were 199 industries in which the four largest firms held 50 per cent or more of their respective industry's total sales. Nearly 50 per cent of all manufacturing activity in the country took place in industries in which the four-firm share was 70 per cent or more in that year. Shepherd concludes that the average American manufacturing industry is one in which the four largest sellers account for 60 per cent of the industry's total sales.

The table below lists a sampling of the American manufacturing industries that, in Shepherd's opinion, are currently non-competitive in charac-

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ter—together with the share of their total sales held by the four largest firms and their estimated "value added" in 1966.

Industry	4-firm share	value added (1966) $ mil.
Razor Blades & Razors	98%	145
Locomotives & Parts	98	318
Flat Glass	96	431
Aircraft Propellors & Parts	96	133
Primary Aluminum	95	725
Aircraft Engines & Parts	95	2,725
Electron Tubes, Receiving	95	244
Sewing Machines	95	97
Safes and vaults	95	64
Motor Vehicles & Parts	94	15,450
Telephone & Telegraph Appar.	94	1,432
Electric Lamps	93	495
Soaps & Other Detergents	90	1,297
Pharmaceutical Preparations	90	3,447
Metal Cans	90	1,043
Computing & Related Machines	90	2,828
Steam Engines & Turbines	90	505
Aircraft	90	4,675
Hard Surface Floor Coverings	89	135
Cathode Ray Picture Tubes	89	472
Chewing Gum	88	177
Primary Batteries	88	167
Carbon & Graphite Products	88	175
Cereal Preparations	87	443
Chocolate & Cocoa Products	85	180
Sanitary Paper Products	85	476
Pressed & Blown Glass,	85	709
Engine Electrical Equipment	85	753
Glass Containers	80	763
Cement	80	839
Brick & Structural Tile	80	275
Gypsum Products	80	222
Blast Furnaces & Steel Mills	80	9,644
Primary Copper	80	363
Aluminum Rolling & Drawing	80	862
Photographic Equipment	80	2,282
Household Laundry Equipment	79	416
Typewriters	79	2,828
Household Vacuum Cleaners	78	156
Flour, Blended & Prepared	75	206
Pulp Mills	75	365
Internal Combustion Engines	75	1,075
Household Refrigerators	72	752
Industrial Gases	72	363
Explosives	72	255

But what about "scale economies"? Aren't huge corporations and therefore concentrated industries required for efficiency? The answer is no. As Shepherd sums it up, "in the great majority of industries, efficient scale in plant production is reached at small, even miniscule, shares of the industry." Thus one industrial scholar, Thomas Saving, found that in over 70 per cent of his industries by number (86 per cent by share of employment), 'minimum optimum' plant size is less than one per cent of industry size. In automobiles, for example, estimates made in the late 1950's were that all economies were realized in plants producing at most 7.5 per cent of total industry sales (300,000 to 600,000 cars then). The larger plants are no more efficient in production.

What about the effect of such a reform program on the country's research and development effort? Aren't our big monopolies and oligopolies the ones that, via their gleaming laboratories, turn out the inventions and innovations that make us the world's leader in technological progress? Again, the answer is no. The big firms in oligopoly industries devote a great deal of effort to *suppressing* new innovations that would require them to write off as losses their heavy investments in plants rendered obsolete by the inventions and innovations of the medium- and smaller-sized firms in their industries. Summarizing Scherer's earlier findings on the conventional wisdom that the larger firms in our oligopoly industries account for the bulk of our technological progress, Shepherd notes that innovation does tend to "increase with concentration at relatively low levels of concentration," but that this phenomenon is short-lived. "When the four-firm concentration exceeds 50 or 55 per cent, additional market power is probably not conducive to more vigorous efforts and may be downright stultifying." For the leaders in a highly concentrated industry, the most profitable course is to let the smaller firms carry the risks of innovation and buy them out later if imitation fails.

IBM and General Motors are prime examples of this incentive to imitate rather than innovate. "Contrary to popular impressions carefully cultivated, IBM is not regarded professionally as a leading inventor or innovator," writes Shepherd. A series of major improvements, including both the larger 360-line computers and the time-sharing systems, "have originated with other sources, with IBM often

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following developments." The auto industry has succeeded in suppressing innovation in the development of automobile safety features, anti-smog technology, the small car (abandoning it, until recently, to foreign producers), and more efficient, lower-cost retailing (the industry's "exclusive dealing" arrangements with its dealers prevent the development of "chain" retailing of automobiles or discount-store operations, those handling all makes rather than just one). The principal technolgical contribution of the auto industry is the annual style change—which is estimated to increase the price of the average automobile by about 25 per cent, or approximately $7 billion per year.

The Target Price

But what about the *advertising* role of the giant firms in oligopoly industries? Isn't it the more than $20 billion spent on advertising in the United States each year, the bulk of it by these major oligopolies, that keeps consumer demand high and thus prevents unemployment? On the contrary, advertising, at least in the excessive form associated with our major oligopoly industries, can actually be a cause of unemployment in some industries. High-intensity advertising creates high concentration, and concentration in turn produces higher prices and reduced levels of output—thus fewer employed people.

The rather spectacular conceit of Madison Avenue in suggesting that its labors have something to do with keeping the American economy in motion is on an intellectual par with the rooster's conviction that it is his crowing that causes the sun to rise in the morning. No reputable economist believes that America's real standard of living would waver in the slightest if the entire advertising industry closed up shop tomorrow. The fact of the matter is that Americans spend, year after year, approximately 93 per cent of their aggregate disposable income. They have done so for more than 50 years, despite the fact that advertising did not become a giant among American industries until the 1950's. The advent of television brought not only huge growth in advertising but also a qualitative change, as the emphasis shifted away from the transmission of product information toward the creation of a pleasant psychological atmosphere around the product. Television was indispensable for this shift. The function of advertising is to transfer the consumer's quite stable propensity to spend from one "brand" to another, or from one product to another. Advertising can induce the consumer to shift his money from Fords to Chevrolets, but it has always been quite powerless to induce him to raise his *total* spending from 93 per cent of his disposable income to 94 per cent.

Excessive and misleading advertising occurs in its most socially significant forms in relatively concentrated industries. In some industries—cosmetics, for example—these advertising expenditures run to as much as 40 per cent of the product's total sales volume, with price increases required to recover those costs and make a profit on the capital invested in the advertising itself. Highly-advertised products tend to be roughly 20 per cent more expensive than the identical products sold by the industry's oligopolists to their largest customers (for example, the chain food stores) under the latter's own "private" brand names. In the summer of 1970, for example, consumers generally paid 89 cents for a 14-ounce bottle of Listerine, while the same mouthwash in the same size bottle cost only 59 cents under the A&P private label, a price difference of 33.7 per cent. An 11-ounce can of Rapid Shave cost 95 cents, while the same product cost only 49 cents with an A&P label. The usual practice is for the supermarket chains (which are themselves not exactly small entrepreneurs) to purchase products from the brand producers under a contract which allows the private label. Sometimes the price

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differences can be enormous. A recent investigation by staff of the Federal Trade Commission showed, for example, that Washington, D.C., consumers pay 580 per cent of the price for Peoples Drug Store aspirin to get the same relief with a Bayer-label.

America's great monopolies, as the critics quite accurately point out, select the level of monopoly profits they think they can get away with and then price accordingly (e.g., General Motors' "target pricing" to yield a 20 per cent after-tax return on its stockholders' equity). Styling, advertising, and the like are then "planned" to yield the level of consumer demand required to produce that pre-planned level of profits. Gosplan, the Soviet economic planning agency in Moscow, operates an automobile monopoly in the Soviet Union in precisely the same way—and with even worse results.

Monopoly's Helpers

There are two general techniques for controlling the prices of monopoly firms: the imposition of some form of regulation, such as wage and price controls, upon existing companies, and the reduction of concentration in the offending industries. Wage and price controls are neither popular nor efficient for keeping prices at a competitive level over the long haul. And price-setting by a governmental agency has been a thorough-going disaster by virtually all standards. The "big seven" regulatory agencies—the Interstate Commerce Commission, Civil Aeronautics Board, Federal Communications Commission, etc.—are consistently captured by the industry they purport to be regulating—and they end up presiding over an output-restricting price-increasing, cartel arrangement that tends to be worse, if possible, than the situation in unregulated oligopoly industries. One study shows, for example, that the airline fares fixed by the CAB are at least 30 per cent higher than the prices prevailing in the unregulated, intra-state California airline market. The unregulated Pacific Southwest Airlines charges a coach fare of $16.20 for a Los Angeles-San Francisco flight, while the CAB sets much higher fares for flights of equivalent distance on the major airlines: $33 Chicago to Minneapolis, $34 Cleveland to Philadelphia, $33 Los Angeles to Phoenix, and so on. This price inflation implies a consumer loss from the CAB's ministrations of as much as $1 billion a year. The ICC's annual cost to the consumer is estimated to be several times that figure.

Regulation is ineffective precisely because it does not remove the market power of the oligopolies which now pervade the American economy. This market power not only wears down the zeal of the most ardent regulatory crusaders but also provides the muscle for corporate acquisitions that further concentrate American industry. Monopoly power tends to snowball, spending most of its energy in the pursuit of more control and more security,

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which in turn makes it more difficult to turn business energy from lobbying and mergers to the competitive customer service which is supposed to make free enterprise socially useful in the first place.

Breaking up the stifling, glutinous masses which characterize many American industries is obviously the superior solution. Antitrust judgments are relatively simple to execute, and they remove the harmful effects of market control by going to the source of the problem. The hulking obstacles to this logical solution are of course the monopolies themselves, which is ample evidence of how far the snowball has rolled. General Motors, Ford, Standard Oil, U. S. Steel, and the country's other major oligopolists would hardly be enthusiastic about having their price-raising monopoly power taken away from them, and it is reasonable to suppose that they could devise a substantial amount of political unpleasantness for any administration that actually directed its antitrust agencies, the Antitrust Division of the Justice Department and the Federal Trade Commission, to make antitrust enforcement a principal tool of economic policy by breaking up the oligopolies which make our current antitrust laws almost ludicrous in a law and order era.

Part of the enforcement problem stems from the lack of economic sophistication among the attorneys and jurists charged with interpreting antitrust laws. The courts tend to view the issue as one of predatory business practices and collusion. They see market control only when there is evidence of a price-fixing scheme or other monopolistic agreements among competing corporations. Market concentration *per se* is not considered conclusive evidence of monopoly, although all the harmful economic effects of monopoly are demonstrably in operation. The courts are reluctant to stand on economic evidence, and they tend to look prudently for documents or testimony to show that an anticompetitive "deal" has been made. This judicial hesitancy could be overcome by new legislation, a law making a four-firm share of more than 50 per cent of any product market *prima facie* evidence of monopoly.

The High Prices of Unemployment

Such explosive legislation, like antitrust enforcement itself, would clearly run into a political hailstorm—virtually all major politicians depend on contributions from the representatives of American oligopolies. To a large extent, these contributions come from monopoly profits and carry, of course, an implicit understanding that the receiving candidate will not take the legal steps necessary to erase the larger pool of such profits from which he has taken his tithe. In less respectable circles, this is known as a kickback—the beauty of which is that both parties to the transaction have their needs taken care of to the unmitigated loss of the public.

Despite the long odds and the formidable opposition, these economically sophisticated legal battles must be undertaken and the necessary political coalitions must be built to remove monopoly power from the United States. For now, the issues are primarily those of economic injustice caused by the violation of every market principle on which the corporation rhetorically stands. The current unemployment only dramatizes this violence, as anti-inflationary policies that ignore monopoly have put 1.8 million people out of work in the last 18 months. In a sense, these people have taken the rap for the continuation of monopoly power among the biggest businesses. Beyond the economic issues, market power presents questions of basic freedom. Even now, it is not too difficult to imagine one's having qualms about filing an antitrust suit against an American oligopoly, for fear of losing the insurance policy, credit rating, or job that might lie within the control of the oligopoly, or in the control of its friends in high places. ■

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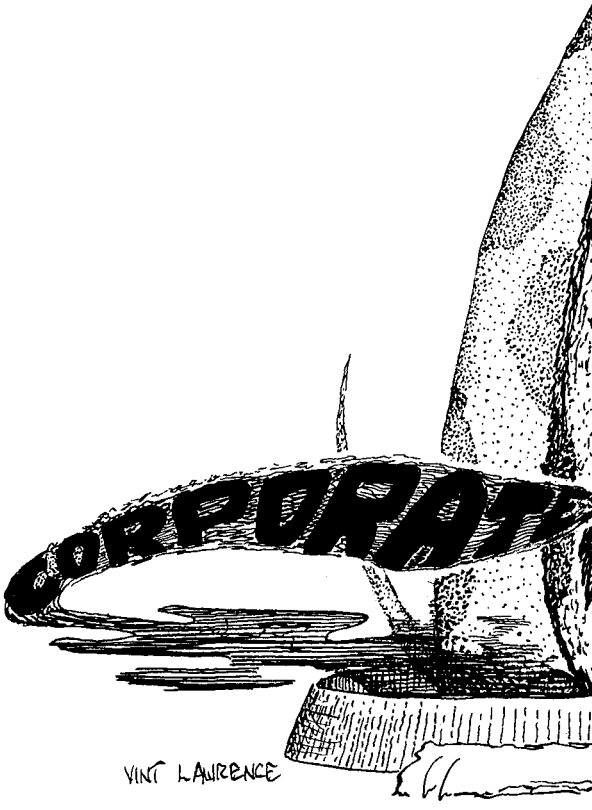
America's Respectable Crime Problem



by Sarah Carey

Attorney General John Mitchell soothed the country recently by announcing a major breakthrough in the fight against crime. He dismissed the continued rise in the FBI's street crime index as a mere "paper crime wave" created by state and local police departments lusting after the federal dollar. Now that Mitchell has turned the tide against muggers, rapists, purse snatchers, burglars, and street walkers, perhaps he will have time to turn his law-and-order eye, his bond lawyer's acumen, to the biggest and most costly omission from the crime debate. That is "corporate" or "business" crime, the illegal acts of corporations and corporate officials which result in serious public injury.

There has long been discussion of the widespread efforts by large corporations to influence the legislation that makes their behavior unlawful. There have been conflict-of-interest exposés, such as the membership of the major utility companies on Chicago's pollution control board. And, of course, there have been many stories about gifts to, or bribes of, public officials. But these have always been rather sporadic affairs, providing boredom relief for reporters and lively human interest scandals for the citizenry. The crimes of violence, theft, and fraud springing from the normal daily activities of businesses have received comparatively scant attention. In fact, American jurisprudence has so long neglected the entire concept of

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"As through this world I've rambled,
I've seen lots of funny men.
Some rob you with a six gun,
And some with a fountain pen."
—Woodie Guthrie, *Pretty Boy Floyd*

corporate crime that you cannot find it defined in legal dictionaries, listed in statistical reports on crime, or even mentioned in the criminal index to the laws of the United States.

Some of this neglect, of course, exists because the whole idea of corporate crime doesn't fit the popular, cops-and-robbers image of the fugitive from justice. A corporation does not slug you across the side of the head while it is stealing from you. Its methods are considerably more sophisticated. The criminals do perhaps flee the scene of the crime—but only in the afternoon rush hour, and they return every morning with none of the telltale fears of the desperado.

A corporation's theft is disguised in price increases, shoddy products, shortcuts on health and safety requirements, or the diversion of funds from the public purse. Its violence is subtly contained in breakfast cereals, pharmaceutical bottles, industrial wastes, and the like. The target of the assault is spread among millions of consumers and non-consumers; and even if these victims can somehow be collectivized into a complainant, the responsibility for a corporation's actions is so diffuse that the case gets lost somewhere in the organizational chart. The vague victim combines with the responsibility problem—a kind of corporate Mylai as far as the difficulties of fixing retribution are concerned.

The companies themselves are hardly leading the charge toward a realignment of thinking on this score.

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For most corporations, violations of the law, whether they be the tax laws, the safety laws pertaining to workers, building codes, or pollution laws, are simply another cost of "doing business." The penalties and fines for such violations, if prosecuted at all, are generally so small that many corporations have found it far cheaper to operate on the shadowy side of the law than to take the necessary steps toward compliance. The business world does not really brand corporate violators as social or moral outcasts. This is partly a matter of appreciating the mores of the circles in which one moves. Just as many slum residents view hustle-theft by their neighbors as justifiable survival efforts in a hostile climate, and as many middle-class students using drugs do not consider themselves felonious, so too the corporate moguls and their underlings do not regard monopoly, pollution, or tax violations by their peers as real crime, at least not serious crime. Such convictions are generally appropriate for dinner conversation in the presence of the criminal affiliates, and they are sometimes even noted with approval as signs of a robust company—one that takes bold risks for its belief in a productive America.

Chevron Oil Company, a wholly-owned subsidiary of Standard Oil of California, operated its offshore oil wells in the Gulf of Mexico in violation of antipollution laws for some time before one well spewed slime onto the Gulf Coast of Louisiana and thereby angered law enforcement officials enough that they prosecuted Chevron for 900 violations—10 days of operation for each of its 90 wells, an arbitrary figure chosen by the prosecutor. Chevron could have been charged with many more days of scofflaw. After skillful bargaining, including threats by the entire oil industry to come in on the case, 400 charges were dropped. Chevron pled *nolo contendere*—no contest—to the remaining 500 counts and was fined the maximum of $2,500 per count, or $1 million total.

The closing of the case was announced by Chevron almost like the closing of a business transaction or a new merger acquisition. There was no press coverage to the effect that a major oil company had quietly acknowledged the violation of a law carrying criminal penalties. The financial statement of Standard Oil of California, Chevron's parent, shows that the fine was about .03 per cent of the company's gross income (about the same as a $10 traffic ticket for a person making $25,000 a year). The attorney's fees for defending the case are tax deductible, maybe even the fine itself. The whole affair was a little bumpy for Standard's and Chevron's image temporarily; but it was manageable for the business, and Chevron executives are not likely to be spurned for future jobs because of their criminal connections.

Burglary is Penny Ante

No one sees corporate lawlessness as a matter of great horror or pain, but the economic costs of corporate crime greatly exceed the cost of street crimes. To make a simple comparison, the President's Crime Commission estimated that in 1965, the total national volume of the three crimes against property in the FBI index—larceny, auto theft, and burglary—were respectively: $196 million for 762,352 cases of larceny, $140 million for 486,568 auto thefts, and $251 million for 173,201 burglaries. There is, of course, no corporate counterpart to these FBI criminal astrographs, but one responsible official at the Department of Justice estimated that the cost to the taxpayers for reported and unreported violations of the federal corporate regulatory statutes is $10-20 billion a year. The Internal Revenue Service states that about $1.2 billion in taxes is unreported under the corporate income tax laws. And Senator Philip A. Hart estimated, as a result of investigation

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by his Judiciary Subcommittee on Antitrust and Monopoly, that the cost to the consumer of faulty goods, monopolistic practices, and other criminal corporate acts is between $174 and $231 billion annually.

These are enormous numbers, and they indicate—even if they unexpectedly prove to be liberal estimates—that the small entrepreneurs of crime enjoy but piddling success compared to their organized and respectable colleagues. Because of the prevailing disinterest in corporate crime, there is no official data available anywhere on the total volume of reported business crime, much less on the many alleged transgressions that are not prosecuted. (The cost of the Santa Barbara oil slick, for example, is estimated at $16.4 million. Yet none of the oil companies—Union, Gulf, Texaco, or Mobil—was ever prosecuted by either the state or the federal government. And the efforts of the county district attorney to file suit have been rebuffed by more senior officials.) Because aggregate figures do not exist, one must rely on individual examples of the few cases brought to court in sizing up corporate crime. The most dramatic example is the General Electric price-fixing case of the early 1960s, in which the federal government alleged $1.75 billion in annual damages, or about three times the damages to the entire country caused by the FBI's property crimes. The fine was $1.9 million.

Corporate Crime Wave

Today, although the lack of public sensitivity to business crime precludes both strong corporate laws and adequate enforcement of the present weak ones, it is clear that we are in the midst of a kind of "corporate crime wave." A recent survey of reported business crimes, in which we participated, showed that blue-ribbon companies—including many in the *Fortune* Top 500 (a list compiled for purposes other than the identification of criminal suspects)—are being charged with multiple violations of local, state, and federal laws arising from their routine business activities. These prosecutions represent only the tip of an illegal iceberg, and they involve the repeated violation of a whole variety of laws designed to protect the person, property, and health of the public. Most of these laws are classified as criminal; some are still classified as civil despite the personal and property losses which ensue from their violation.

In the pollution area alone, the survey revealed that the state of Ohio is seeking an injunction against Dow Chemical Company to prevent mercury pollution in Lake Erie. The same federal court in Louisiana that slapped $1 million in damages on Chevron in 1969 recently levied fines of $906,000 on four other oil companies—Humble, Continental, Union, and Shell—for similar violations. The state of Illinois has just won a major battle against U. S. Steel with a court order compelling the company to stop dumping 36,000 pounds of pollutants a year into Lake Michigan. Compliance will cost the company between $8 and $12 million a year. The state of Indiana is fighting the same company for pollution of the Grand Calumet River. In California, the major car manufacturers—General Motors, Ford, Chrysler, and American Motors—are the defendants in a suit challenging them with a conspiracy to delay the development of smog-control technology. Michigan is considering a similar smog pollution suit.

In other areas, the Department of Justice is suing major corporations such as Westinghouse Electric, Standard Oil of Ohio, and Bethlehem Steel for antitrust violations ranging from restrictive patent and technical licensing agreements, to price-fixing on gasoline and other products, to restraint of trade through reciprocal purchase agreements. These violations are costing the public immeasurable damages through substantially in-

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and
The Washington Monthly
present the first

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May 12 & 13 1971
Shoreham Hotel Washington D.C.

PROFITS AND THE PUBLIC INTEREST

It used to be that a company could get by with occasionally sponsoring Shakespeare on television or with a few pages of annual report pleasantries about consumers, fair employment, and the environment. But not in the 1970s.

Not just the image but the reality of social responsibility is going to be demanded by customers, by the government, by the bright young employees a company must attract and keep to remain vital.

Because we believe that there are businessmen and investors who care about these issues, we are inviting them to get together with the leaders of the corporate responsibility movement, not to shout at each other, but to learn in vigorous civil discussion what is on the other fellow's mind.

Panels will include leading corporate critics, government officials from the agencies and the Hill, and corporate executives who have already been challenged by the movement and who can tell you the lessons they have learned.

WHO SHOULD ATTEND THIS CONFERENCE

Top corporate officials: Because your standing with the public today can dramatically affect the value of your stock, your ability to attract customers, and the degree of regulation under which you labor.

Corporate public relations officials: Because your personal future depends on your ability to interpret public attitudes to your top officers, and advise them on how to respond.

Foundation, university, and religious officials: Because your organizations care about the social result of their investment decisions.

Institutional portfolio managers: Because you may lose shareholders, donations, or trust customers if you cannot defend your investment policies and the way you vote your stock in light of the public interest.

Wall Street research leaders: Because the social responsibility of a company has now been added to your checklist of things you must know about a corporation in order to know how the market should—and will—evaluate its stock.

Advertising executives: Because your clients will be demanding advertising that is sensitive to the movement for corporate responsibility.

A PARTIAL LIST OF SPEAKERS

Clifford L. Alexander Jr. is the former chairman of the Equal Employment Opportunity Commission which has a lot to say on hiring practices of major corporations.

Joseph A. Califano Jr. is the former White House assistant who acted as the Coca-Cola/Minute Maid counsel in the recent migrant worker dispute.

Sarah Carey, assistant director of the Lawyers' Committee for Civil Rights, will explore the criminal sanctions against corporations and their officers who violate present and pending legislation.

Robert B. Choate is the former assistant to the director of the White House Conference on Food, Nutrition & Health who appalled the nation—and changed its eating habits—when he told how low common cereals are in nutritional content.

Aileen Adams Cowan authored the Nader TV report on false and misleading advertising.

Philip Elman is, as a for-

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mer Commissioner of the Federal Trade Commission, in a perfect position to tell what consumers and corporations can expect out of the federal government.

John C. Esposito wrote *Vanishing Air*, the Nader-team book that explored the damaging effects of air pollution by corporations.

A. Ernest Fitzgerald the Air Force's contract enforcement officer who first revealed the $2 billion cost overrun on Lockheed's C-5A, will analyze defense contractors' responsibilities to the public and the extent to which their fulfillment is likely to be demanded by the government.

Nicholas Johnson has made himself famous as the member of the Federal Communications Commission who can't be kept quiet on the ominous power—and how it is used—of TV broadcasters.

Nicholas Katzenbach, former Attorney General and Under Secretary of State, is now Vice President and General Counsel of IBM.

Roger G. Kennedy is Vice President/Finance of the Ford Foundation.

Dan W. Lufkin is a partner of the Wall Street firm of Donaldson, Lufkin & Jenrette and has long been a spokesman on the subject of corporate responsibility and how investors should influence the corporations.

Philip W. Moore is executive director of the Project on Corporate Responsibility that has caused General Motors to hire a special man to handle its public-responsibility image, and to put a distinguished black member of the public on its board.

Richard L. Ottinger, former Congressman from New York, is an organizer of Grassroots Action, Inc., formed to make corporations more responsible to the communities in which they're located.

Robert Pitofsky an antitrust lawyer on leave from New York University, heads the enforcement arm of the chief agency charged with consumer protection, the FTC.

Robert S. Potter, counsel for Dow Jones and chairman of the newly-created Committee on Social Criteria for Investments of the Episcopal Church.

E. Hayes Redmon is the executive assistant Dr. Edwin Land used to represent Polaroid-Land Company in its recent struggles over Polaroid's future in South Africa.

John D. Rockefeller IV is the Secretary of State of West Virginia who is leading the fight against the ravages of strip mining in that state and who was also a leading spokesman for Campaign GM.

Congressman Benjamin S. Rosenthal is the author of the 1970 consumer protection agency bill.

Alice R. Tepper heads the Council on Economic Priorities which has received nationwide TV and magazine coverage for its authoritative report on pollution by the paper industry—and has forced several companies to speed their pollution control efforts as a result.

James S. Turner is author of the Nader report *The Chemical Feast* which revealed the extent to which meaningless and sometimes poisonous additives are corrupting our food.

Caspar W. Weinberger, President Nixon's first chairman of the FTC, is now number two man in the President's powerful Office of Management and Budget, which determines spending—and thus policy priorities—for the entire government.

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creased prices. At the state level, Dow Chemical and other major chemical companies are the defendants in a price-fixing case; Minnesota and six other states have sued Anaconda Copper, American Brass and at least eight other companies for antitrust violations. Most of these cases are still pending, but Michigan has already collected over $400,000 in a settlement with several of the companies.

The Spirit, Not the Letter

In our survey, the attorneys general of the 50 states, the district attorneys of the 50 largest cities, and 100 of the country's largest corporations were asked to provide a listing of corporate prosecutions and/or convictions over the past five years "of criminal laws designed to protect the public from economic, physical, or other injury. . .including violations of laws pertaining to pollution of the environment, antitrust violations, product safety and related consumer violations, securities fraud, tax violations, and civil rights offenses."

The corporate responses were sadly predictable. Despite existing public knowledge and information available showing a wide variety of prosecutions and convictions, the corporations uniformly and dutifully replied that they were—as a matter of policy—in full compliance with local, state, and federal laws. Indeed, they claimed they were making substantial investments to insure compliance beyond that required by law. Their letters projected the concerned, sacrificial image attained by the advertising campaigns of corporate polluters or violators of equal opportunity employment laws. Not since Pretty Boy Floyd, or perhaps even Robin Hood, have well-known criminals enjoyed so pleasant a reputation. The corporate performance is especially noteworthy for achieving its purposes without Robin's line about robbing the rich to help the poor. Finding themselves vulnerable to the opposite conclusion, the corporations have elected to use public relations for a more general message of hope and progress—while relying on the complexity of their crimes and the diffusion of their victims to keep the issue out in the public haze where action is unlikely.

A number of corporations among *Fortune*'s top 100 indicated that they lack the resources in their legal departments to check through the files to determine if they are being prosecuted for violations of the law. For example, Lockheed Aircraft Corporation replied: "We just don't have time to devote to providing the information you requested." And Allied Chemical Corporation said: "Our management is unwilling to incur the expense of responding to detailed questionnaires about our business from well-meaning individuals or groups."

The survey also showed that local and state law enforcement officials have no plans for assigning their limited staff and investigative resources for enforcing the laws. Not only do they lack an overall picture of the various corporate law violations occurring in their own jurisdictions, but they also lack any information concerning similar violations in other states. We found, for example, that the states bringing antitrust suits against Anaconda Copper and the other pipe manufacturing firms did not know of each other's suits. They individually stumbled upon what appeared to be isolated violations, when in fact the illegal behavior is characteristic of the entire method of doing business of a major national corporation.

The law enforcement officials were well-meaning but had never thought it important to look at corporate violations in a coordinated fashion; some reflected confusion. In Maryland, for example, the attorney general responded: "The Attorney General of Maryland is not a prosecutor, and therefore, the information you seek is not available from this office. Prosecutions are handled by the state's attor-

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neys of the various counties throughout Maryland and Baltimore City. . . . But the local state's attorney for Baltimore replied: "In the area of suits challenging the pollution of the environment I note that the Attorney General of Maryland has jurisdiction in this area."

State legislatures and local governments have been unwilling to commit to their prosecuting attorneys sufficient funds to keep track of carefully concealed business crimes, let alone prosecute them. A number of respondents to our survey noted the huge expenditures required to challenge large corporations, whose legal staffs have more resources than many state governments. These officials indicated that such prosecutions would tie up their entire office in drawn-out litigation—to the exclusion of most other criminal suits, if not all. It would be quite difficult to make such decisions and stay in office. The power balance is clearly in favor of the big company and against prosecutions—except those of smaller companies for lesser violations, such as zoning laws or building codes.

Making Concrete Obsolete

Why have the public and its law enforcement officials paid so little attention to the criminal offenses of corporations despite their increasing seriousness? Perhaps the major reason for this benign neglect of corporate crime has been a general lack of political support and popular pressure to see that the laws dealing with corporate offenders are regularly enforced. Now that there is vocal public sentiment against pollution, there is an increase in prosecutions of polluters. In fact, if corporate crime were measured in the same manner as street crime, *by offenses reported*, we could point in some states—such as Colorado—to a 600 per cent increase in that category of corporate crime. Although the public has recently focused on pollution and consumer fraud, it still remains relatively unconcerned about a host of other corporate violations, even under existing law.

Law enforcers at both the state and local level have also been reluctant to take on the major corporations because of corporate blackmail or extortion—threats by the companies to pull out of the state and move to a "more favorable business climate"—if law enforcement is pursued too vigorously. Then, too, many of the elected officials responsible for preventing this kind of offense depend for their support on those same corporations. In street crime lingo, that's a bribe or a payoff. When law enforcement boils down to a power struggle, the usefulness of organization becomes apparent. Powerful organizations can make the law a dead letter, as in the case of the Mafia—whose business operations differ from those of legitimate companies primarily in their primitive methods of contract enforcement. This distinction has become somewhat blurred in recent years, as the chiefs of the Mafia have found the concrete block not only unmodern but unnecessary.

Another reason for the lax enforcement of corporate laws lies in the division of responsibility for monitoring business activity and prosecuting wrongdoers. Sharing these tasks is a large number of agencies, often overlapping in their jurisdiction. At the federal level alone, there is the Department of Justice, the Securities and Exchange Commission, the Department of Interior, the Internal Revenue Service, the civil rights agencies, and the regulatory commissions. But the federal role—in every field but antitrust—is a secondary one.

Each state has a proliferation of laws dealing with a broad range of behavior—at least as it applies to the segment of the corporation located within its jurisdiction. This multiplicity of law enforcement agencies leads to buckpassing and neglect. And, in the case of large national (or inter-

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national) corporations, it pitches a giant (the corporation) against a small jurisdiction (the state) which lacks the resources or the power to get at the basic causes of corporate misfeasance. As Thurman Arnold put it, "the sacred doctrine of states' rights" has been permitted "to hamper regulation of industrial empires which have no connection with any particular state."

Even if there were the resolve to attack corporate crime, the weakness of the present criminal penalties would hamstring results. Since the law views the corporation as the "person" who commits a crime, there are few personal penalties against the officers of a corporation—as there are against ordinary law violators—and these are rarely invoked. The primary duty which the law imposes upon corporate officers is that of producing profits for the shareholders. Unlike an individual, whose criminal record follows him wherever he goes, a corporation's criminal record is never referred to—in fact never even tabulated. Chevron is a 400-time loser, and General Motors and U. S. Steel are each under indictment in at least three states; but nobody is going to throw their officers in jail or suggest that they report regularly and respectfully to a probation officer.

Repeaters and Lifers

Without strong sanctions, and with a permissive attitude on the part of the public, corporations can continue to violate the law with near impunity. But it would be relatively easy to pass effective penalties for corporate crime, assuming the nation believed that fear of punishment is an adequate deterrent for criminals, incorporated or otherwise. Perhaps the death penalty should be applied to companies. If a company is found guilty of certain crimes or is certified as a repeater, then it would be required to sell its assets and have its charter revoked. Congress has already built in the death penalty for certain foundations; it and the states could do the same for criminal corporations. Alternatively, the death penalty could be applied to managers and boards of directors by requiring the stockholders to fire them and find law-abiding replacements.

Other punishments might also make useful deterrents. Where companies seek to overwhelm federal or state prosecutors with frivolous and costly legal tactics, they could, upon conviction, be required to pay the prosecution's legal costs. Corporate repeaters could be required to report all criminal indictments in their annual shareholders reports, in filings with the SEC, and perhaps even in certain advertisements (if an ex-offender can be denied a job or educational opportunity because of his records, why should a corporation not be exposed to a possible loss of customers because of its criminal deeds?). These tough sanctions would not, of course, express a public distaste for profits or successful business any more than burglary laws are a bar against individual economic self-improvement. In both cases, the criminal laws and sanctions merely indicate that profits and self-improvement shall not be gained at the expense of public health.

Or less drastic, depending on your point of view, Congress could impose criminal penalties—jail sentences, probation, and other restraints—on corporate officials who direct the corporation's policy in acts which violate the law. It might also be helpful to increase penalties for "recidivists" by imposing large fines for major violations or by barring a person from any corporate office if his management decisions have led to more than one conviction for a corporate crime. Such action would have immediate effect upon people who are known to value reputation highly. It could even spur lagging efforts toward prison reform if more men like Louis Wolfson took up the crusade after personally concluding that American jails are too democratically savage for this century.■

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Memo of the Month

DEPARTMENT OF PUBLIC SOCIAL SERVICES

From the desk of
JOSEPH L. WINKLER
Chief, Division II

TO: Mr. John M. May, Director
Bureau of Adult Services

January 5, 1971

SUBJECT: Female Impersonaters, Unattached Men's Center

A few days ago while at UMC I observed two apparent females present with a large group of men in a group interview. Mr. Zurbrigen's explanation was that the two in question were transvestites and that program staff had advised him some time ago they were to be served as unattached men at the Center. While we were discussing the subject another person garbed as a female passed by in the lobby and Mr. Zurbrigen indicated that this was another alleged male. He estimated that about 20 other such persons had been aided at UMC.

I regret that this matter was not made known to me sooner. I am convinced that female impersonaters should not be aided at UMC for the reasons cited below.

1. These persons have a fertile field at the Center for prospective partners in homosexual activities. We have had enough of that kind of trouble at UMC.
2. They are objects of curiosity and the brunt of ridicule and abuse not infrequently on the part of other clientele.
3. If they are indeed males, it is unthinkable that they should use the ladies' restroom. On the other hand, the consequences of their use of the men's restroom is equally abhorrent.
4. If the present practice continues, what would prevent genuine females from representing themselves as male transvestites and becoming eligible for aid at UMC? Who will be responsible if the word gets out UMC will aid all persons in female attire claiming to be men, and at some later date it should be discovered that half of them really were women? How do we verify sex without physical examination?
5. General Relief regulations stipulate that employable applicants shall be available for employment. Obviously males attired as females have voluntarily severely limited their employment potential. For example, I have learned belatedly that LAC-USC rejects any such assignees to the Beautification Project. What is to prevent other men from donning female garb to avoid assignment to work projects? Anyone can claim to be a transvestite.

I have just now been informed of an incident which occurred last October and which illustrates how we are being victimized. A UMC social worker had occasion to enter the Union Station during his lunch period. He observed in the men's restroom a client he recognized and two other men changing from men's to women's attire. When the worker returned to his office, the three men dressed as women were in the UMC lobby.

I propose that the following policy be adopted immediately: Any applicants who present themselves at UMC attired or otherwise arrayed as females but claiming to be men shall be refused aid unless they return attired as men. This same policy should be considered for all other district offices.

JLW:jh

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Leonardo or Otis B. Driftwood?

by John Rothchild

The fantasies of O. Roy Chalk are those that built the country. It is exciting to see them replayed by a man who did not sit home and watch his stock grow, and who tried, alone, to become a Rockefeller long after there were laws, commissions, public opinion, and sharp men in gray suits who wouldn't let him get away with much.

Today's atmosphere is not favorable to the last tycoon. O. Roy Chalk? He has golden telephones and sunken bathtubs and limousines and estates, famous paintings and penthouses. His takeover of the D. C. Transit bus company was called "the greatest steal since the Brink's robbery," by Senator Thomas Eagleton. He started an airline with two DC-3s and parlayed it into a multi-million dollar operation. He charted megalopolitan newspapers and nuclear-powered buses and even took over a Central American railroad with two banana plantations. And who has heard of him? It's like capturing the whole Monopoly board with four hotels and having nobody care.

Loosed on the previous century, Chalk might have been rewarded with fame, power, and a lot more money. Something about him reminds us of a time when men did not lose at such ventures, railroads and rolling stock, men who implanted their half-thought-out dreams on the country, and men who were appreciated for it —Gould, Hearst, and Vanderbilt. Chalk has followed their blueprint and yet his efforts are sadly irrelevant—the worst thing is not that he is unknown but that he would have made more money had he merely put his money into IBM and gone fishing.

Chalk is known in Washington, D. C. The 150,000 who dunk 40 cents into his buses every day (the fares have been raised from 32 to 40 cents in the last year) consider him a consummate financial wizard, the kind of man you meet and instinctively put your hand in your back pocket. This, too, is ironic. Chalk has not been a particularly good businessman or con

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man. It is not his ventures, but his style that make him so vulnerable to public hostility—he is too obvious about his winnings, too honest about his motives. While the substance of free enterprise hasn't changed since the days of his predecessor tycoons, the style certainly has—to save capitalism, today's entrepreneurs cannot afford to act as if they believe in it too strongly. The large outfits who replace free-lance tycoons like Chalk do not let themselves be identified with a single wealthy owner. They also make fewer PR mistakes and temper their operations with words like "coporate responsibility."

Chalk's motives were simply to build an empire, to go as far as he could with his money. While his holdings have lately disintegrated—his airline merged with American, his railroad sold, his bus company deep in debt—it is the attempt we can appreciate, for, as Chalk says, "I used to think it was possible, under the American system, to start from scratch and build something. . . it could be I'm getting to be wrong."

In one sense, and perhaps only one, Chalk's empire is not of the past —an empire of shifting tax bases, disappearing subsidiaries, and meandering cash flows, a one-man conglomerate in which illusion is the prime investment and where the real assets never spend too long in one place. People are not rewarded these days by building better mousetraps. They are rewarded by setting up a mousetrap company, and funneling its assets into football teams, encyclopedias, and plastics, spreading the capital to its furthest point, to its highest rate of return, to its lowest tax liability, and then returning periodically to the federal government to ask for more funds for mousetrap development.

Chalk's trend has been to form new companies rather than reinvest in those he has, to thin out rather than to build up, to seek breadth rather than depth. There is, in many of his operations, a tinny incompleteness, a big front, a lack of commitment. One wonders how Chalk can afford to be a real-estate man, newspaper publisher, bus owner, television and radio entrepreneur, banana magnate, advertising financier, and railroad baron, even though his daughter (and only child) has been moved by his versatility to compare him to the late Leonardo da Vinci.

His empire is so mercurial—with inter-company loans, debts, and earnings—that it is hard to decide whether he has succeeded, failed, or succeeded because of failure, getting personally richer as his companies get poorer. It depends on how seriously you take his statement: "I never lose money, except on purpose." If you follow him through the maps of his accountancy, it is said he will always lose you—it is possible that Chalk himself cannot know, at any given moment, if he is rich or poor.

That is an exaggeration, of course. Chalk knows he is rich. From his New York penthouse at 1010 Fifth Avenue, a building he owns, Chalk has time to consider such things—the most commonly quoted estimate of his worth is $14 million, although nobody takes the figure too seriously. It may have altered with the recent airline merger, Trans Caribbean into American Airlines, for which Chalk and his wife, who together owned about 70 per cent of TCA stock, will receive over $4 million in American stock; and Chalk himself will get, over the concerns of the CAB, $40,000 a year until 1977 as a consultant to American.

Trans Caribbean was Chalk's parent company, the *primum mobile* of his universe. Everything else he has was owned by TCA. Before the merger, he severed the airline from the other holdings by spinning off the stock in the other companies and distributing it to the TCA shareholders, which means mostly Chalk. The rest of his operations are now organized in three major blocks. One is communications, including *El*

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Diario, the largest Spanish-language newspaper in the country, published in New York with a circulation of about 80,000; and a radio and TV station in San Juan, Puerto Rico. The second block includes Chalk's New York real estate, primarily apartment buildings. The third and major block is the Washington holdings—all organized under D. C. Transit of Delaware, formed after a D. C. regulatory commission once objected to Chalk issuing more stock in the bus company, an objection he sidestepped by issuing the stock through the Delaware parent. D. C. Transit of Washington is thus a wholly-owned subsidiary of D. C. Transit of Delaware. Under the D. C. company, there are five real-estate subsidiaries and a second and smaller bus company, W. V. & M. Coach Company. Directly under D. C. Transit of Delaware is the D. C. Realty and Development Corporation, which holds additional Chalk properties, organized into four more subsidiaries.

Chalk's benefits multiply into the far reaches of his corporatedom. When money is given out, even by Chalk, he manages to be there always, his left hand taking from his right, a juggling act in which one gain is made into two. When the District of Columbia required Chalk's D. C. Transit to pay for removal of streetcar tracks, the bids were taken and the lowest bidder was Chalk himself, working through yet another new subsidiary—a road-building company in which Chalk, as usual, had no prior experience. When the city decided to let him put advertising on the buses to help his financially hard-up bus lines, it was the quickly-formed Transit Card company that got the contracts. And when the White Motor Company buses were purchased by D. C. Transit, they were bought from the friendly local White Distributor, O. Roy. When Chalk rented a house from Georgetown University, it was D. C. Realty, a Chalk subsidiary, that paid the $500-a-month rent, but D. C. Realty rented the house in turn to D. C. Transit for $900, a profit of $400 for the realty company, which means Chalk. He gets by with a little help from himself.

The story of Chalk House West, a Washington apartment complex, is proof enough of Chalk's statment: "I can make one dollar in private money go as far as $10 in public money and I've proved it with D. C. Transit that a little private money can go a long way." In 1959, he sold a trolley car barn, with land, in southwest Washington to the D. C. Redevelopment Land Agency for $3.5 million. A few years later, that same agency held an architectural design competition for a high-rise apartment complex to be built on a portion of the land—the owner of the winning design could buy the property. First place went to an architectural firm retained by O. Roy Chalk, who thereby got back for $767,000 a portion of the car barn land for which he had received $1.5 million in 1959.

Chalk then got government financing to build a $7-million high-rise and townhouse apartment complex, organized as a subsidiary of the D. C. Realty company, which itself is a subsidiary of D. C. Transit.

As usual, Chalk's running of Chalk House was not nearly as inspired as his acquisition of it. The electric-eye door on the automatic garage was broken for the better part of a year, the garbage lay uncollected and festering in the hallways for days at a time, and security devices were in such disrepair that whole blocks of apartments were systematically hit by thieves, according to tenants. The tenants formed a council to do something about all this in October, 1969, but a month later, Chalk had sold the place for over $1 million in cash and a Virginia estate valued at $478,000.

The sale provided further gain. In the style of the Mark Twain character who sells fur pelts at the front door

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and goes to the back to retrieve them and sell them again, Chalk contemplated further development. For the new exploits he obtained a $250,000 farm loan on the estate, which caused some controversy within the Farm Credit Administration—where some questioned whether Chalk was a bona fide farmer, just as it was once questioned in the Senate press gallery whether he was a bona fide journalist. Chalk is probably as good a farmer as he is a railroad man or journalist.

A Leaping Alger

The staple of the Chalk ventures is real estate, which makes Chalk a uniquely qualified transportation man, because the business of transportation, since the days of Jay Gould, has been land. Chalk is landed due to the lucky circumstance of his marriage to Claire Cole, whose father was rich in New York properties. This is the one great leap in an otherwise convincing Horatio Alger story—Chalk was a poor immigrant, born in London in 1907, brought to New York at the age of three (which made him a derivative citizen, explaining his curious non-involvement in politics).

Chalk could have stuck with the land and been modestly wealthy, but something drove him beyond merely watching values go up while he stood still. Perhaps Jack Kerouac would have understood Chalk's love for moving bodies—buses, trains, airplanes—a love that led him to some very romantic acts, like the time he tried to take the $6 billion New York subway off the city's hands for $615 million. He has always waxed more poetic about buses than airplanes, preferring to call his planes "sky buses" rather than his buses "street planes," and musing over various bus designs like the Mack Truck "dream" model, planned especially to appeal to women. But his first financial venture was with planes. His desire to get off the ground no doubt increased when he heard of possible military contracts, and when he discovered he could buy two surplus planes for $10,000, fix them up for another $50,000, and call it an airline.

The maiden flight of TCA between LaGuardia and Miami airports revived, even with the improved technology, the pioneering drama of Kitty Hawk. It was bad weather and the plane wouldn't start. So Chalk hired some boys to pull the prop around and finally it turned over and took off with a certain faith—a faith that would later be strengthened when, in 1949, Chalk received an audience with Pope Pius XII. The pope blessed Chalk and extended his blessings to Trans Caribbean, remarking, "This is the first airline I have ever blessed." A high degree of belief has also surrounded other Chalk enterprises where the lack of financing and adequate maintenance or planning is compensated by enthusiasm—or as Chalk puts it, "Place our thoughts in high clouds. Color them beautifully in warm hues of sunny optimism."

TCA got off the ground, and Chalk sought military contracts. In 1951 he went to the Pentagon, where he was told that a single airline owner could not receive such business, that he had to be part of a group. So Chalk went out and organized his own group—the Independent Military Air Transport Association (IMATA). Soon, the IMATA not only had contracts, but was outstripping the "big boys," and Chalk had shown that an individual with ingenuity could enter a market thought to be reserved only for established and rich organizations. His airline brought soldiers home from Europe, refugees from Europe to Israel, Marshall Plan engineers to Greece, and airmail from Italy to South America. In 1955, Trans Caribbean made a $2.5-million profit. In 1957 it received a regular, scheduled route from the CAB, becoming the first nonscheduled led airline in modern times to do so. The route was San Juan to New York, later expand-

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ed to include other Caribbean countries.

Chalk's Puerto Rico-New York flights had begun on a nonscheduled basis long before he got the regular route. In fact, Chalk is personally responsible for bringing more Puerto Ricans, whom he calls "my people," to New York than any other man or organization—his maverick airline began flights with marimba bands and box lunches, his agents scoured the islands looking for customers on a 15 per cent commission, and most important, Chalk lowered prices.

When Chalk entered the Puerto Rican market, the other two airlines, Eastern and Pan American, were charging $180 one way. But in the heat of competition, he lowered his price to $45, forcing the others to follow suit. This drastic reduction in fares made Chalk somewhat of a hero on the island, and suspect in the airline industry—a man who wouldn't play the game. Because of Chalk, the West Side became the largest suburb of San Juan.

These were the days when Chalk could see glimpses of a real, unified empire, unencumbered by the obstacles that would plague him later—commissions, cities, organizations that didn't understand his antibureaucratic, one-man state, his participatory monopoly. It could have worked out that one's entire daily travel, mental and physical, would depend on Chalk—a Puerto Rican would turn on Chalk's TV station to see an advertisement for New York via Chalk's airline, board that airline to arrive in New York and be transported by Chalk bus or subway to the new Chalk development, where Chalk's newspaper would be waiting. At each point, there would be O. Roy, encouraging, cajoling, taking a little off the top.

It is this poetic unity, the global economic karass, that Chalk has always sought. He wanted one thing to lead into the other, as they did on on the balance sheets; but in real life he feel short. "For one thing," he

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says, "my railroad was in the wrong place." For another things, he never had the money to buy solid tycoon items and had to settle for a tenuous, second-string empire—*El Diario* being his *New York Times*, D. C. Transit his Union Pacific, Trans Caribbean his Eastern, all vulnerable to quick shifts of fortune.

Chalk on the Water

Now that he is out of TCA, Chalk's newest project, as yet undisclosed, his "next crusade," is the sea. He has retreated on land and air, but water represents uncharted opportunity. The merchant marine attracts Chalk, he is a sucker for moribund industries with high potential for public pay-ins, the D. C. Transits of the future. But this time, he wants to work through the bigger forces: "I'd like to join a railroad, an airline, a shipping company, a boat company, and put it all together." He would like to do it through American Airlines. There are still laws, but Chalk hopes they can be changed.

It seems impossible now, but so did D. C. Transit in 1956. Chalk, a complete unknown at the time, entered the Washington transit bidding in the crisis period after Louis Wolfson, a former owner, had drained the company and after a 52-day strike encouraged Congress to look for another owner. There was substantial sentiment for public ownership, and several private bidders already had sought the franchise unsuccessfully, when Chalk offered a late bid, which was miraculously accepted. He was aided in this coup by an old friend, Colonel George Gordon Moore, the brother-in-law of President Eisenhower.

The mysteries of the agreement were soon forgotten with the announcement of the financial settlement. Chalk had picked up a company worth $23.8 million on the books for only $13.5 million. The Commissioners had accepted the Chalk offer because he was the only bidder reputed to have the proper financial backing. But Chalk never used his own money. All but $500,000 of the purchase price was paid for with loans made on assets of the company itself—a $5.6 million loan was secured by the same amount of cash still in the company, another $3.5 million was borrowed by mortgaging the streetcars and buses, and the final $3.9 million by mortgaging some of the real estate.

People soon realized they had overestimated Wolfson, or underestimated Chalk. In three years and four months, 12 years ahead of schedule, Chalk paid off the loans, partially through the sale of the southwest trolley barn, but mostly from operating revenues. By 1959 D. C. Transit had also reimbursed itself for the original $500,000 investment, paid $640,000 in dividends, and accumulated $2.5 million in retained earnings.

Chalk's early willingness to take out of the company more than he put into it is reminiscent of Wolfsonian tactics, profitable but not particularly innovative. But Chalk's restless imagination soon came up with another, more pioneering, tactic of corporate management—shredding. The idea of shredding a company is to pull assets into subsidiaries, leaving a big hole in the middle of the company, a hole never to be filled.

The shredding was occasioned by the death of the trolley car. It should be emphasized from the beginning that Chalk wanted to keep the trolleys. He accused certain powers of trying to stampede him into converting to an all-bus system and repeatedly said, "I have great affection for the trolley car." The Congress, the highway lobbies, and the bus companies pushed him into it—the prevailing public view was that buses were creatures of the future, while trolleys were passe. The economic reality was more important than the aesthetics—buses cost much less than trolleys, so cities could run their transportation systems more cheaply and replace old equip-

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ment more easily.

But most important to Chalk, the end of the trolleys freed over 1.5 million square feet of valuable real estate belonging to D. C. Transit, the kind of real estate no longer used in the day-to-day operations of the bus company, and therefore, technically classified as non-operating property.

Chalk is against the word "spin-off" to describe what he did, and technically, he is right. The non-operating real estate was not completely separated from D. C. Transit, it was merely put into subsidiary companies organized under the bus company but not directly a part of it.

Chalk transferred the properties into the subsidiary companies by reimbursing D. C. Transit on paper for the book value of the property. He did this by issuing stock from the subsidiary to D. C. Transit in the amount of the book value of the property. However, since the real value was much higher, the amount gained by the subsidiaries was much greater than the amount reflected in the reimbursal. Over $6 million worth of property was transferred for about $1.8 million on paper. By 1969, the net worth of the six shredded subsidiaries exceeded $14 million.

While Chalk has not sold the subsidiaries or declared dividends on their profits, they have helped him in one important way. They generate income through mortgages on the property, income that he uses throughout his empire, not just the bus company. M Street Estates is a good example. In 1964, this building, formerly a Georgetown streetcar barn, was transferred to a subsidiary for $99,000. The subsidiary mortgaged the property a year later for $2.5 million, and lent out more than half the money to other Chalk companies.

The real value to Chalk would come if he sold the shredded companies apart from the bus company itself. By paying the bus company merely the book value of the properties, he could stand to make $10 million in personal profit.

The absent-minded might easily forget that through all these land deals, loans, and investments that Chalk's real job was running a bus company. The inner maneuverings were not visible to the average rider during the first years of Chalkdom. The history of the buses, like all Chalk operations, began noisily and optimistically—the new air-conditioned green dream machines paraded through the streets with an honor guard of bathing beauties, calypso dancers, and clowns, the special interior design by Mrs. Chalk—Bahama sand for the seat tops, Mexican coral for the rear lounge, mist blue for the seats, presumably to give the flavor of the island, Puerto Rico, where Chalk often suns.

There was always enough money for new projects, never enough for old ones. By 1969, Chalk was over $2 million in arrears to the bus drivers' pension fund, and during some months, his bus company didn't even deposit the money taken out of the drivers' paychecks, the employees' contribution. (A year later he erased this debt by taking out a loan on car barns still belonging to the bus company, not the subsidiaries.) In 1967 he defaulted on the obligation to buy 85 new buses, as required every year by the Washington Metropolitan Area Transit Commission (WMATC), the local regulatory agency.

The Bus Credit Card

Chalk also got plenty out of D. C. Transit through the easier veins closer to the surface, although some of his extractions cost him more in bad publicity than they were probably worth. He benefited in the following ways:

1) Dividends. For a 10-year period, 1956-66, Chalk paid his shareholders, largely himself, a dividend averaging $500,000 a year, or a total of $4.3 million. The last dividend, $250,000, was paid in 1966, even though the company then showed a loss. Chalk's dividends represent a 100 per cent a

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year return on his original capital investment, although the rate-making agencies do not usually calculate return on investment but rather on operating ratio, a measurement much more favorable to Chalk.

2) Salaries. For his part-time work as head of D. C. Transit, Chalk pays himself $65,000 a year. His total pay from all his consolidated operations amounted to over $125,000 in 1969 and was close to that figure throughout the 1960s. In addition, he gets pension benefits from D. C. Transit valued at about $16,000 yearly.

3) Expenses. Chalk sees certain connections between his private life and the bus company that the regulators do not. By 1960, the regulatory agency had disallowed more than $150,000 of company expenses for superfluous items, which doesn't mean the money wasn't spent, but that it wasn't included in calculating the operating cost for fare-setting purposes. Chalk is not one to discriminate between a penny and a dollar as far as expenses go—$60,000 to redecorate Chalk's apartment, $5,000 for a month's personal phone calls, $2.40 for a laundry bill.

D. C. Transit came into disuse as Chalk's credit card only recently. The amount of non-operating expenses charged to the company was reduced to $150,000 in 1968 and only $30,000 in 1970.

Chalk's company also benefited indirectly from provisions of a very generous franchise. (Chalk has always believed enough in the concept of free enterprise that he could accept a few socialistic gestures without being compromised.) Congress granted him that "the opportunity" to earn a 6.5 per cent return after taxes was "not unreasonable," a clause that has never been defined (6.5 per cent of what?) but nonetheless has put pressure on the regulatory agencies to set rates that would provide an adequate measure of profit. His franchise was also exempted from several District of Columbia taxes, amounting to $600,000 a year, and is exempted from gasoline taxes to the extent that he doesn't make the 6.5 per cent profit.

The WMATC has been caught between the obligation to keep buses running and to set fares to provide the company with a reasonable rate of return, and the knowledge that some of the company's financial trouble has to do with the early dividends, the debt financing, and the shredding of assets. But the fare increases that have given Chalk such a bad name would have been inevitable, according to WMATC chairman George Avery, even without Chalk. Washington suffers transportation problems shared by most large cities, the rising labor costs and the competition of the car, which have jeopardized D. C. Transit far more than Chalk has. Chalk's cumulative gain represents a very small percentage of the expenses of the company. It doesn't cost the farepayers much to make one man wealthy, and it might even be worth the extra penny or so to see Chalk operate.

The farepayers have, however, paid for Chalk's image. He is so identified with D. C. Transit, and so identified with robber baronry, that Congress would never grant his company a subsidy so that fares could be lowered, spreading the costs among those who ride buses and those who don't. Congress is likewise not ready to force Chalk out and substitute public ownership, which probably means the bus revenues will continue to come out of the riders' pockets and that fares will continue to go up.

Through all of this is Chalk the capitalist, taking advantage of what's offered, chipping around the edges, and launching his schemes with his feet firmly planted on the legal side of the line. You can't blame him for that—he has said his goal is to make money, that the American way is to make money, and he has proved that Horatio Alger still can live, even if Chalk is the last airline magnate to

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start from nothing, the last bus owner to take over a company with the company itself, the last man to build an empire with what he would call "intangible assets."

One wonders what the world would be like if Chalk really got his way. You get some idea by examining the projects that never reached fruition, the dream-reality world of this little, elf-like man in elevator shoes: whatever happened to the orange juice on the buses, the hostesses, the nuclear-powered bus, the helicopter service, the piggy-back bus-train to Baltimore, the Georgia Avenue monorail line, the megalopolitan newspaper, the New York afternoon newspaper, the southwest boatel-motel complex, the Washington bus-airplane terminals, the Orlando to Cape Kennedy railroad?

Nixon's Right Arm

Chalk had some good ideas, even some visionary ones. He wanted, for instance, to keep the Washington trolley system, and he suggested during the middle 1950s that maybe cars should be banned from cities. But Chalk seems to think in headlines; it is left for others to fill in the stories.

The headline analogy is more than a rhetorical trick. Chalk actually did send in headlines to his small newspaper, the *D. C. Examiner*, started in 1967, the one that was supposed to go megalopolitan until its issues dwindled from 32 pages to four pages and finally, in 1969, to nothing. He would be in Paris and call in the titles, like "Humphrey Winning" and "Nixon Scared," or "Vietnam: The Battle of World Opinion Will Be the Second Front," and then the staff, three or four people who got to work by walking through the AID rifle range in Chalk's Georgetown car barn, would have to make up the stories.

Life at the *D. C. Examiner*, the smallest cell of the corporate body, gives us some idea of what it is like at the larger places. The paper began with a publicity puff, somewhat confusing, but nonetheless optimistic—it was supposed to be local yet megalopolitan, investigative yet concise, it was to accent youth, and yet its prime big name was Walter Winchell, whom Chalk called "a real newspaper man."

In practice, the newspaper was never financed, staffed, or defined—Chalk does not delegate authority, except, in this case, to Morris Fox, the old trucker who helped get him the D. C. Transit franchise, and was once ordered to read all the copy. The glimpse of Chalk in Paris, trying to control the *D. C. Examiner*, is something like the dying days of Rome. The man sent frantic disc transcriptions: "What's going on? We turn the newspaper over to Mr. Shales? Please send me an immediate report on all staff members. What are they doing? Who is there? Who has left us? What's happening to the sales and advertising department?" When Chalk did act, according to a staff member who worked there, it would be instant and capricious, not a long-term plan of any kind, but a momentary whim, like his dreams for transportation, put a picture here, an article there, don't forget to put the D. C. Transit ad on a different page from the Trans Caribbean ad.

Chalk has always cultivated the appearance of depth where little really existed, in the ideas, the bus company, the Chalk House West apartments. The corporate management is poor of thought as well as money, the balloons have leaks, but the air never completely escapes until the balloons are sold. Chalk has marked delusions of grandeur, about himself and his companies, delusions that both keep him going and entering fields that no other men would attempt alone and also keep him from seeing the real state of things. When the newspaper was down to a few pages and an even smaller staff, Chalk talked of it as the "President's right arm in this town," as he had once worried whether a D. C. Transit strike would "affect the

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presidential elections" or as he had entered the WMATC, sat down at George Avery's desk, and tried to dial Vice President Humphrey.

There is something of Don Quixote in Chalk, or perhaps Willie Loman, at once inspiring and absurd, a pawnshop tycoon with a second-string empire, a dictator who pays attention to all detail and to none. Imagine the opening of the D. C. airline terminal (another bust) where the staff members had to move their cars so the one bus could turn around, where a few Latin Americans were waiting, incredulous, while the band played and Chalk was upstairs upbraiding a secretary because a salami was missing.

Salami is the least of Chalk's current problems. In years of good business, his consolidated holdings did quite well—turning a profit of $1.6 million in 1964. But in the last three years, difficult years, not only the parent, but most of the offspring showed massive anemia, bailed out in part by American Airlines, who paid off $7 million of Chalk's debts. The bus company, the major venture remaining, is still in big trouble, with debts approaching $20 million. Transit officials estimate the worth of the company at close to zero. Chalk puts it closer to $50 million, raising the estimate as the value of the company goes down, and talking of "intangible assets."

Chalk probably can't get at those valuable subsidiary properties, either. For one thing, they are being held in escrow pending a $9 million tax claim brought against TCA by the IRS.

The fact that Washington considers him a financial genius says something about how far behind we are in understanding business. We have not caught up with the old-fashioned, more obvious techniques, but they are already irrelevant. And Chalk reflects the comedy and tragedy of the last Indian on the plains, trying to remember how to herd buffalo while drearier, duller people pass by in air-conditioned jeeps. ■

BOOK NOTES

Political books scheduled for publication this month. Publishers who want their books included should notify us two months prior to publication and provide a brief (50 words or less), objective description of the contents.

Aggression: Our Asian Disaster. William L. Standard. Random, $6.95.
Autokind vs. Mankind. Kenneth R. Schneider. Norton, $7.95.
The Balance of Terror: A Guide to the Arms Race. Edgar M. Bottome. Beacon, $6.95.
The Blacks in Canada: A History. Robin W. Winks. Yale Univ. Press, $15.00.
Bring Us Together. Leon E. Panneta and Peter Gall. Lippincott, $6.95.
Comes the Revolution. Edward W. (Ted) Lewis. Arbor House, $6.50.
Counterbudget: A Blueprint for Changing National Priorities, 1971-1976. Robert S. Benson and Harold Wolman, editors. Praeger, $8.95; paper $2.95.
Destroy or Die. Martin Gershen. Arlington, $7.95.
Diana: The Making of a Terrorist. Thomas Powers. Houghton, $5.95.
Diplomaism. David Hapgood. Donald W. Brown, $5.95.
Economics, Peace and Laughter. John Kenneth Galbraith. Houghton, $7.95.
The Enemy: Notes on Imperialism and Revolution. Felix Greene. Random, $8.95.
The Female Eunuch. Germaine Greer. McGraw-Hill, $6.95.
Forty Acres: Cesar Chavez and the Farm Workers. Mark Day. Praeger, $6.95.
The Gerber Report: A Doctor's Diagnosis and Prescription. Alex Gerber, M.D. McKay, $6.95.
The Intellectual in Politics. Max Beloff. Library Press, $8.95.
The Journals of David E. Lilienthal, Vol. 5: The Harvest Years, 1959-1963. Harper, $12.50.
Julian Bond: Black Rebel. John Neary. Morrow, $5.95.
The Nightmare Decades: The Era of Senator Joe McCarthy. Fred J. Cook. Random, $10.
Now Is the Time. Fred R. Harris. McGraw-Hill, $6.95.
On Doing Good. Gerald Jonas. Scribners, $6.95.
Promises to Keep. Chester Bowles. Harper, $12.95.
Revolution and Equilibrium. Barbara Deming. Grossman, $8.95; paper $3.95.
The Second Year of the Nixon Watch. John Osborne. Liveright, $5.95.
The Stately Game. James Symington. Macmillan, $6.95.
To the Victor. Martin and Susan Tolchin. Random, $10.

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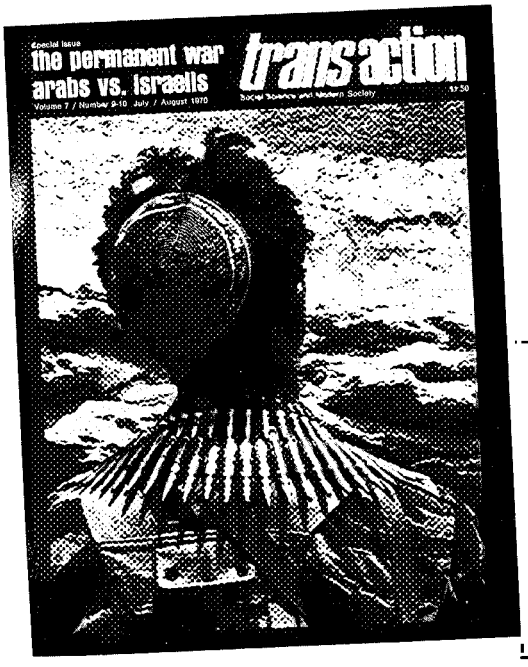

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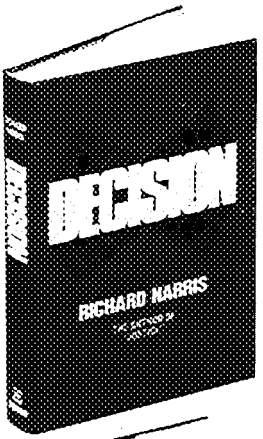

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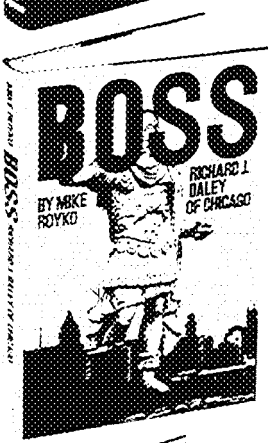

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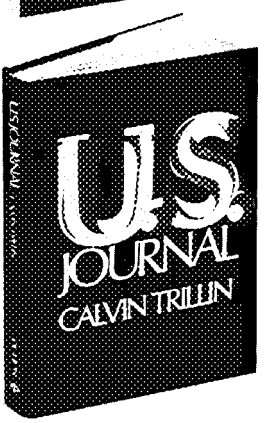

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